DOCUMENT RESUME

ED 478 304 IR 058 736

AUTHOR	Kotch, Marianne
TITLE	Policymaking for Vermont Public Librarians and Trustees.
INSTITUTION	Vermont State Dept. of Libraries, Montpelier.
SPONS AGENCY	Institute of Museum and Library Services, Washington, DC.
PUB DATE	2002-06-00
NOTE	92p.
PUB TYPE	Guides - Non-Classroom (055)
EDRS PRICE	EDRS Price MF01/PC04 Plus Postage.
DESCRIPTORS	Access to Information; Confidentiality; Federal Legislation; Intellectual Freedom; Internet; Librarians; *Library Administration; Library Collection Development; *Library Policy; *Library Services; *Policy Formation; *Public Libraries; *Trustees
IDENTIFIERS	Electronic Resources; Library Bill of Rights; Vermont

ABSTRACT

This document provides guidelines on policymaking for public librarians and public library trustees in Vermont. Topics covered include: (1) the importance of policies in bringing order, logic, stability, and continuity to a library's operation; (2) the roles of trustees and librarians in adopting carrying out policies; (3) reasons why policies should be written and the process of writing them; (4) policies as a reflection of the library's philosophical underpinnings; (5) "do's" for writing policies; (6) what to cover in five general areas, i.e., service philosophy, general operation of the library, collection development, personnel, and public access to electronic resources; (7) problems that might still arise in libraries with policies; (8) the confidentiality of library records; and (9) intellectual freedom. Appendices include: the Library Bill of Rights; an interpretation of the Library Bill of Rights regarding access to electronic information, services, and networks; the "Freedom to Read" statement; guidelines from the Vermont State Library on compliance with the Neighborhood Children's Internet Protection Act; guidelines for trustees' by-laws; a list of publications and Web sites for further reading; a sample form for challenging library materials; and sample policies from four libraries. (MES)

Reproductions supplied by EDRS are the best that can be made
from the original document.

State of Vermont

Department of Libraries
Agency of Administration

109 State Street
Montpelier, VT 05609-0601

ED 478 304

POLICYMAKING

for Vermont public librarians and trustees

PERMISSION TO REPRODUCE AND DISSEMINATE THIS MATERIAL HAS BEEN GRANTED BY

M. Kotch

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

Contents:

Overview: who, what, why, when, how
Confidentiality
Intellectual Freedom - *Library Bill of Rights; Access to Electronic Information, Services, and Networks; Freedom to Read*
Internet Use and NCIPA
By-laws
Further reading/inquiry
Sample reconsideration form
Sample policies and by-laws from Vermont public libraries

Prepared by:
Marianne Kotch
Director, Public Library Support Services
June, 2002

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☐ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

This program is supported in part by
the Institute of Museum and Library Services,
a federal agency, through the Library Services and Technology Act.

IR058736

BEST COPY AVAILABLE

Policies explain *why*, not how

Every day, public librarians, staff, and volunteers make many decisions. They choose a few books from the over 50,000 published annually. They decide whether to close the library when a holiday approaches or a snowstorm hits. They act on requests to use the library meeting room. They deal with boxes of gift books from the community. They answer questions about public access to the Internet. These and other daily decisions can be handled efficiently, consistently, and fairly when there are policies for guidance.

Policies can bring order, logic and stability to a library's operation. They can explain procedures, clarify confusing situations, and defuse conflict before things escalate. Policies may not prevent problems, especially when materials selection choices are challenged, but having policies will make staff better equipped to face questions and crises.

Having written policies lends continuity; new board members and staff will have something to refer to as they learn the ropes. Trustees can use policies to help insure that the board's general service philosophy are followed. If your library's practices aren't consistent with your policies, you should make changes or improvements, either to the policies or in the practices.

Trustees adopt policies – librarians carry them out

Besides hiring a competent, caring librarian, policymaking is *the* major responsibility of public library trustees. Trustees and librarians work together to develop reasonable policies, and they bring their various points of view to the process. Representing the community the library serves, trustees must develop an underlying philosophy to guide the day-to-day services and operation of the library. The librarian, who works so closely with the community and its library, has valuable experience and practical perspective to share in policymaking. Staff and community opinion are also important in developing policies.

Policymaking is a group process that should result in consensus about philosophy of service. All trustees should stand behind the policies the board adopts, while the librarian and staff put them into practice. If staff finds the policies don't work or need revision, they should suggest changes to the board which may adopt or modify them. It's a two-way process.

Developing library policies isn't always easy. It may involve hours of discussion, even disagreement. Encouraging debate and public involvement during the policy development process isn't just healthy, it's vital. Once a board officially adopts any policy, all trustees and staff must support it publicly and answer questions about it in a positive manner. Work out differing views before you have to work with the policy and, then, back it publicly in a unified manner.

Policies should be written

Even the smallest library with a long, stable history should have written policies. Writing policies down prevents misunderstanding by giving everyone involved with the library a common point of reference. When questions occur, either from the public, staff, or trustees, the policies can be reviewed for possible solutions. Not every situation will become clearer with a written document, but having an articulated set of values can help guide decision making.

Ideally, your library's policies will develop out of the long range plan. The mission statement you develop during a planning process will underlie overall policies and help ensure that the plan's general service goals will be followed. But even if you do not feel ready to go through a full-scale planning process, it is important to have written policies to lend consistency to operations.

Writing policies starts with a general discussion of ideas at a board meeting. Because it is nearly impossible to write something from scratch in a group, have someone, often the librarian, take notes and put the ideas together into a draft policy. Mail the draft to everyone at least a week before another meeting during which everyone may offer reactions and suggestions for change. It is important for everyone to have time to think about a draft policy before further discussion. You may find that the group has to review and revise several drafts before you get something you can all agree to. Again, the process of reaching consensus is important to seeing that policies are followed consistently.

If you're stuck with language, one of the sample policies in this booklet or on the internet (see "Further reading/inquiry") may help you. Additional samples are available from the Department of Libraries, and the Department's staff can help you rewrite or edit drafts of policies. Sometimes a fresh eye can point out areas you have inadvertently forgotten to cover or can raise questions about how policies will actually be used.

Policies reflect the library's philosophical underpinnings

Policies should be general, broad, and flexible enough for unusual circumstances, but should also address many of the activities and circumstances library staff encounters daily in serving the public. You won't be able to anticipate every situation that arises, but you should consider possibilities based on your knowledge of library operations. Use simple language, with as little library jargon as possible, to make policies clear and understandable to staff, trustees, municipal officials, and the general public. Because policymaking is an intense process, your product should be useful over time, but you should not expect it to last forever.

Policies should reflect the library board's philosophy of service rather than offer details of procedure, rules, or regulations. For example, instead of saying, "the library will be open 14 hours a week," and listing specific days and times open, say "the library will attempt to be open

during hours which will be most convenient to the public, at least 14 hours a week." The second statement is more flexible and general, yet it reflects a philosophy or approach to service. Another example might be the statement that job descriptions will be developed for all staff, rather than including the actual job descriptions in the policy.

Do...

☐ **Use active voice and positive statements** in writing policies. Tell what the library will do, rather than what is not allowed. For example, replace "Textbooks will not be bought," with "The library purchases items of interest to the general reader and generally looks to schools to provide textbooks." Even the most exclusionary statement can be written in a positive manner, as in the common sign, "Thank you for not smoking." Rewrite sentences until they sound straightforward and positive, as that will best reflect on your library's approach to the public.

☐ Begin by **keeping policies brief** and simple for more flexibility. As you work with your policies, you will identify areas that need more thorough coverage and details.

☐ **Focus on administration** of the library, not the board of trustees. Procedures for smooth board operation are called "by-laws" and will be discussed later (after the sample policies).

☐ **Review** all of your library's **policies annually**, and revise them as necessary. It's a good idea for board members to sign and date policies upon adoption. This shows that they were officially acted upon, and the date is a reminder for review.

☐ **Make sure all** trustees and staff members **have copies** of policies, and every new trustee's orientation should include discussion of policies. Welcome questions as a means to understanding the thinking behind the policies. This valuable background will speed his/her becoming an active trustee.

☐ **Keep a copy** of the policies **at the circulation desk**(s) so that the public's questions may be answered on the spot. Staff should generally be encouraged to refer questions about policy to the librarian.

Develop policies in five general areas

In general, every public library's policies should include a statement of its mission, goals, and priorities. These statements might derive from the library's long range plan. In addition, a library's policies should address its general operation, collection development, use of electronic resources, and personnel. If your library is part of municipal government, your employees may fall under town/city personnel policies; a separate library personnel policy should parallel that of the municipality. The board should consult with an attorney before adopting personnel policies.

Public Library Policies: What to Cover

Service Philosophy

- Mission statement - the library's role in the community, who it serves, and what its priorities are
- Governance - relationship to the community, municipal government, and various community services and organizations, reflecting the framework in which it operates
- Identification of primary users and their needs
- Service goals in brief - what does the library focus on? How does its collection fit into the context of those goals?

General operation of the library

While these detail the overall rules and regulations for providing service to your public, you should try to remain as general and philosophical as possible.

- Who may use it? Nonresident use, including out-of-town borrowers, seasonal residents, etc. Under what circumstances will privileges be denied?
- Fines and fees - will they be charged? to whom? maximums? It is not necessary to list the exact amounts, but it is important to specify who will decide and how.
- Hours of operation - a general statement about how they will be determined
- Holidays to be observed - be specific here
- Responsibilities - what are the general roles of staff, trustees, the municipality?
- Relationships and cooperation with community organizations, Friends group, schools, other libraries statewide and locally, and other service agencies.
- Use of facilities, equipment, and display space - Meeting room use and exhibit areas should be addressed consistently.
- Unattended children and their supervision
- Confidentiality of registration, circulation, and other records (see "Confidentiality" below)
- Nondiscrimination - a statement welcoming everyone regardless of race, gender, religion, economic status, disability, national origin, etc. If your library is not accessible to people with disabilities, you should note that alternative delivery methods are available and that programs and activities will be held in alternative sites with prior warning.

Collection Development (Materials Selection)

Your collection is the primary resource for providing service. Much of what a library does relates to its collection. The bulk of a library's policy may address collection development.

- Principles of intellectual freedom (see "Intellectual Freedom" below) - refer to or put your own slant on various national documents which might be appended to the policy
- Responsibility for selection - who on the staff actually makes the decisions?
- Criteria use to evaluate potential additions for the collection, such as:
  - form/format - video? textbook? periodical? cassette? etc.
  - subjects emphasized and those for which you depend on other libraries' collections, particularly those in your own community

- reading level, scope, treatment - scholarly vs. general or layperson's approach
- reliance on interlibrary loan for items beyond the scope of your collection. This establishes limits for your collection
- tools to be used in selection process. Discuss the process rather than listing titles
- responsiveness to public requests and current interests

- Restrictions, if any, on use - this might cover historical, Vermont, and reference items
- Gifts - encourage them, but be firm about applying the same evaluation criteria to them as you do with other items
- Weeding, withdrawal, and disposal - include general criteria and philosophy behind regular reassessment of materials' usefulness to the collection
- Availability of materials for people with disabilities through the Department of Libraries Special Services Unit
- Procedure for review of selections - outline the process you will use if someone questions a selection and append a form to be used (see "Intellectual Freedom" below)

Personnel

Whether incorporated or municipal, a public library's personnel policies should show cognizance of federal and state employment laws.

- Hours worked, breaks, overtime, weekends, nights
- Leaves for vacation, sickness, jury duty, maternity, family medical emergencies, etc.
- Job descriptions, performance evaluations, probation, probation, promotion, termination, retirement
- Staff orientation, continuing education, membership in professional organizations, meeting attendance
- Grievance process
- Payment of staff dues and expenses for travel to meetings, conferences, workshops, etc.
- Fringe benefits, employee privileges
- Conduct, attitude
- Use of volunteers
- Nondiscrimination

Public access to electronic resources, including the Internet

Your library may wish to incorporate specific guidelines (or "rules") for use, or you may simply state philosophy for use. For more information see the "Libraries and the Internet Tool Kit" at the American Library Association's website http://www.ala.org.

- Philosophy - why you offer the service, what the proposed benefit to the public will be
- Who may use the services and what is available
- Minors' use of resources and parental supervision

Review/Revision of policy

This is essential, but often forgotten.

Problems still arise in libraries with policies.

Policies should be adaptable to fit a variety of situations, but sometimes they are too vague or general. Broad statements such as "our goal is to provide good service" are not clear enough because everyone has his/her own definitions of "good" and "service." Your policies should demonstrate what you mean by the terms you use.

Some libraries' policies are too detailed or include documents that should be separate. Staff and public procedures, rules of conduct, internet access rules, staff job descriptions, and trustees' by-laws are all separate documents that may be referred to in policies but not incorporated in them.

Confusion does arise between librarians and boards of trustees concerning responsibilities for policymaking and for administration. In fact, this confusion is at the root of most librarian-trustee conflicts. Sometimes, it's easier to deal with problems of procedure rather than to address philosophical questions because the latter can become emotional and are harder to articulate. Sometimes, one person has a proprietary feeling toward the library and wants it run his or her way. But a public library should operate under a group vision, one that is developed by the board and staff together, and policies can help insure that direction.

Sometimes problems arise when someone connected with the library - trustees, librarian, staff - doesn't take policymaking seriously enough. If the policymaking body doesn't put enough thought and discussion into creation of a policy for its library, the group will not understand or "own" it. The resulting document may not reflect actual library practices or the needs of the community or even the ability of the library to provide a particular service. When something happens that relates to such a policy, neither the staff nor the board will have something to help it decide what action to take.

Clearly thought out policies make staff more prepared to deal with issues as they arise. Without adequate policies, individuals may end up making policy as needed, and then, perhaps, not communicating unwritten but strong policies to others who ought to know them. Inconsistent service ultimately results.

A librarian should expect a free hand in carrying out policy, just as trustees should expect policies to be carried out with dedication and respect. Whether you're a librarian or a trustee, don't make policy on the street, in the grocery store, at the circulation desk. Save disagreements about policies for board meetings, but welcome discussion and examination of policies on a regular basis. Set aside time at least once a year to review all policies, particularly when new board members begin their terms.

Confidentiality is the law

Confidential borrowers' records insure the privacy of library users. Customers should feel comfortable borrowing or using any public library resources or services (unless those items are restricted because of fragility or rarity) without fearing the consequences. Your library risks causing problems for customers if you release, without an official court order, information about their specific or general borrowing habits or library use. You - library, trustees, and staff - risk being sued by customers for invading their privacy.

1 V.S.A. Sec. 317(b)(19) insures the confidentiality of records identifying the names of library users and what they borrow. The Vermont Board of Libraries passed a policy in December, 1981, requiring that the circulation records and others identifying names of users be "strictly confidential." The 1986 and 1993 Minimum Standards for Vermont Public Libraries expect libraries to have policies addressing confidentiality.

It is not enough to state that customers' records are confidential in your policy. Make sure your procedures reflect that policy. Refrain from:

- chatting with customers about others' reading, borrowing, or Internet "surfing" habits.
- using borrowers' names on book cards. Assign numbers to customers and consider giving them library cards. Family cards are permitted as long as confidentiality is maintained.
- sending overdue notices listing specific titles via postcard (even though the U.S. Postal Service assures confidentiality of items mailed).
- telling people who has books when they request them.
- giving public officials the names of library users without their specific permission.
- using library borrowers' files for fund raising or publicity activities without individuals' permission.

Your policy on confidentiality can state the above in a generic way. You might simply state that all records identifying the names of users will not be available to anyone except by court order and that library procedures will be developed to insure customers' privacy at all times.

Intellectual Freedom is protected by the U.S. Constitution.

"Intellectual freedom is the right to seek and receive information from all points of view, without restriction, even those ideas which might be highly controversial or offensive to others."* Beyond locally generated principles, there are certain values underlying most American library service. These values are outlined in the *Library Bill of Rights* and its various interpretations, and *The Freedom to Read* statement adopted by the American Library Association. These documents, included in this booklet, are based on the First Amendment of

---

* from *Intellectual Freedom*, ALA Action No. 2, American Library Association pamphlet

the U.S. Constitution which protects free expression of ideas.

Intellectual freedom promotes enlightened and informed citizenship in our democracy. Libraries strive to provide a wide array of ideas and information to enable customers to make decisions and choices for themselves. Libraries also strive to insure equal access to resources and services for all, regardless of age, background, or belief and regardless of resources' possible use, format or content.

Many library policies refer to and append the ALA documents, and many libraries display them prominently. To avoid simply paying lip service to the principles of intellectual freedom, review the documents with staff, trustees, and the public. Discuss specific situations and dilemmas that may arise. Purchase a copy of ALA's Intellectual Freedom Manual, updated frequently, for background information, discussion of issues, and interpretations of the various documents. It also includes suggestions for dealing with censorship. Review ALA's website, particularly that of the Office of Intellectual Freedom, for updates regularly. The Vermont Library Association also published an Intellectual Freedom Handbook a few years ago. It includes relevant documents as well as general information.

Welcome opportunities to discuss intellectual freedom with the public. Explain your library's approach to collection development in particular so that people understand why the library concentrates on providing a diverse array of materials. Be open to questions. Provide lists of suggested websites on various topics and for various ages, just as you might offer displays of books and other formats as a form of readers' advisory.

Remember that the presence of an item in your library does not indicate the staff's or trustees' endorsement of its contents. But there may be times when specific collection development choices are challenged or questioned by library users. Having a clear procedure for handling these situations should keep them rational and fair. Many libraries begin the process by having a complainant fill out a form describing his/her objections to a specific item. Sometimes the librarian can respond directly to the objections on the form. Other times, a special committee reviews the complaint and makes recommendations to the board of trustees. However you handle it, develop a clear procedure to follow, and (this contradicts the general notion of policy not containing procedure) include the procedure for handling challenged materials in your library's policy.

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.
Amended February 2, 1961, and January 23, 1980,
inclusion of "age" reaffirmed January 23, 1996,
by the ALA Council.

Access to Electronic Information, Services, and Networks: an Interpretation of the LIBRARY BILL OF RIGHTS

INTRODUCTION

The world is in the midst of an electronic communications revolution. Based on its constitutional, ethical, and historical heritage, American librarianship is uniquely positioned to address the broad range of information issues being raised in this revolution. In particular, librarians address intellectual freedom from a strong ethical base and an abiding commitment to the preservation of the individual's rights.

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information. These rights extend to minors as well as adults. Libraries and librarians exist to facilitate the exercise of these rights by selecting, producing, providing access to, identifying, retrieving, organizing, providing instruction in the use of, and preserving recorded expression regardless of the format or technology.

The American Library Association expresses these basic principles of librarianship in its *Code of Ethics* and in the *Library Bill of Rights* and its Interpretations. These serve to guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to electronic information, services, and networks.

Issues arising from the still-developing technology of computer-meditated information generation, distribution, and retrieval need to be approached and regularly reviewed from a context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are not swept away.

Electronic information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it. Even so, many people, for reasons of technology, infrastructure, or socio-economic status do not have access to electronic information.

In making decisions about how to offer access to electronic information, each library should consider its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library system and network policies, procedures or regulations relating to electronic resources and services should be scrutinized for potential violation of user rights.

User policies should be developed according to the policies and guidelines established by the American Library Association, including *Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities*.

Users should not be restricted or denied access for expressing or receiving constitutionally protected speech. Users' access should not be changed without due process, including, but not limited to, formal notice and a means of appeal.

Although electronic systems may include distinct property rights and security concerns, such elements may not be employed as subterfuge to deny users' access to information. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Users also have a right to information, training and assistance necessary to operate the hardware and software provided by the library.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice. Users should be advised, however, that because security is technically difficult to achieve, electronic transactions and files could become public.

The rights of users who are minors shall in no way be abridged.[1]

Equity of Access

Electronic information, services, and networks provided directly or indirectly by the library should be equally, readily and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by all libraries and information services that receive their major support from public funds (50.3; 53.1.14; 60.1; 61.1). It should be the goal of all libraries to develop policies concerning access to electronic resources in light of *Economic Barriers to Information Access: an Interpretation of the Library Bill of Rights and Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities.*

Information Resources and Access

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Determining the accuracy or authenticity of electronic information may present special problems. Some information accessed electronically may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is appropriate. Parents and legal guardians who are concerned about their children's use of electronic resources should provide guidance to their own children.

---

[1] See: *Free Access to Libraries for Minors: an Interpretation of the Library Bill of Rights; Access to Resources and Services in the School Library Media Program; and Access for Children and Young People to Videotapes and Other Nonprint Formats.*

Libraries and librarians should not deny or limit access to information available via electronic resources because of its allegedly controversial content or because of the librarian's personal beliefs or fear of confrontation. Information retrieved or utilized electronically should be considered constitutionally protected unless determined otherwise by a court with appropriate jurisdiction.

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. Libraries have an obligation to provide access to government information available in electronic format. Libraries and librarians should not deny access to information solely on the grounds that it is perceived to lack value.

In order to prevent the loss of information, and to preserve the cultural record, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained electronically.

Electronic resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to electronic resources no less than they do to the more traditional sources of information in libraries.[2]

Adopted by the ALA Council, January 24, 1996

[ISBN: 8389-7830-4]

---

[1]*Se e: Diversity in Collection Development: an Interpretation of the Library Bill of Rights.*

THE FREEDOM TO READ

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals. We, as citizens devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow citizens.

We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they need the help of censors to assist them in this task. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox or unpopular with the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all citizens the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by: American Library Association
Association of American Publishers

Subsequently Endorsed by:

American Association of University Professors
American Booksellers Foundation for Free Expression
American Society of Journalists and Authors
The American Society of Newspaper Editors
Anti-Defamation League of B'nai B'rith
Association of American University Presses
Center for Democracy & Technology
The Children's Book Council
The Electronic Frontier Foundation
Feminists for Free Expression
Freedom to Read Foundation
International Reading Association
The Media Institute
National Coalition Against Censorship
National PTA
Parents, Families and Friends of Lesbians and Gays
People for the American Way
Student Press Law Center
The Thomas Jefferson Center for the Protection of Free Expression

STATE OF VERMONT DEPARTMENT OF LIBRARIES

DATE: June 12, 2002

TO: Public Library Directors

FROM: Sybil Brigham McShane, State Librarian

RE: Neighborhood Children's Internet Protection Act (NCIPA)

As you are all probably aware, on May 31, a three-judge panel sitting in the Eastern District of Pennsylvania ruled that the parts of the Children's Internet Protection Act (CIPA) applicable to filtering in public libraries (in order to receive federal e-rate and/or LSTA funds) are facially invalid under the First Amendment (because they require libraries to violate the First Amendment rights of their patrons) and permanently enjoined the government from enforcing those provisions.

However, the provisions of NCIPA (see: http://dol.state.vt.us/gopher_root5/libraries/misc/NCIPAlaw.html) remain in place and must be implemented by June 30, 2002 to remain eligible for e-rate funds for internet connectivity or LSTA funds for same.

Under NCIPA, libraries that are covered must review their existing Acceptable Use Policies to make sure that they conform to the "Internet Safety Policy" requirements of the Act. These sections have been specifically assigned to local decision-making.

NO FEDERAL AGENCY IS PERMITTED TO ESTABLISH CRITERIA FOR HOW A LIBRARY IS TO ADDRESS THE ELEMENTS BELOW. NOR MAY A FEDERAL AGENCY REVIEW DECISIONS MADE BY LOCAL LIBRARY AUTHORITIES, OR EVEN CONSIDER THE CRITERIA A LIBRARY USED IN MAKING THOSE DECISIONS.

There are six specific requirements for an Internet use policy that conforms to NCIPA. Review your policy carefully and compare it with these requirements. Check the box on the left if your current Internet use policies include these elements. IF you can already check off all six of the boxes, congratulations! Your policies already meet the NCIPA requirements. If there are elements missing, you should draft a plan to update your policy. You must also conduct a publicly noticed open meeting or hearing on the "Internet Safety Policy." These meetings must be completed no later than June 30, 2002.

__ My library board has held a publicly noticed open meeting or hearing to discuss the Internet use policies in place or proposed.

Vermont Department of Libraries • 109 State Street
Montpelier, VT 05609-0601 • (802) 828-3261

__ My Internet use policies address "access by minors to inappropriate matter on the Internet and World Wide Web."

__ My Internet use policies address the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.

__ My Internet use policies address unauthorized access, including so-called "hacking" and other unlawful activities by minors online.

__ My Internet use policies address unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

__ My Internet use policies address measures designed to restrict minors' access to materials harmful to minors.

We believe that a policy discussed/adopted at a "regular" library board meeting where the policy appeared as an agenda item and with written minutes reflecting such discussions will qualify as a "publicly noticed open meeting." We are seeking the Office of Attorney General's verification of this.

If you need to make modifications to your policy, you may hold a "special meeting." A special meeting is called for some other time than the regular meeting date. In such meetings, the board usually has a more limited agenda. Public notice for special meetings requires a minimum of three public postings of the notice (one at the Town Clerk's office), as well as notice to each member of the board AT LEAST 24 HOURS BEFORE THE MEETING IS TO BEGIN. The agenda must be made available, and notice must also be given to the local news media and any other media that has specifically requested notice. (1 V.S.A. §§ 312(c)(2), 310(4).) Please remember, it's not a "meeting" unless a quorum (majority) of board members is present.

For more information on Vermont's open meeting law, see:
http://www.sec.state.vt.us/municipal/pubs/openmeeting/intro.html

A sample policy that we believe is in compliance with the requirements of NCIPA is available at:
http://dol.state.vt.us/gopher_root5/libraries/misc/NCIPASample.txt

We expect that the Federal Communications Commission (FCC) and the Schools and Libraries Division (SLD) will have further guidance for E-rate applicants out very soon. Watch the SLD web site (www.sl.universalservice.org) for further information and updates.

Please feel free to call your regional librarian, Marianne Kotch, Sheila Kearns or myself if you have questions.

CONGRESSIONAL RECORD PP. H12302 - H12306
(House of Representatives - December 15, 2000)

CONFERENCE REPORT ON H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001 -- (House of Representatives - December 15, 2000)

[Page: H12302] GPO's PDF

TITLE XVII--CHILDREN'S INTERNET PROTECTION

SEC. 1701. SHORT TITLE.

This title may be cited as the ``Children's Internet Protection Act".

.....

Subtitle C--Neighborhood Children's Internet Protection

SEC. 1731. SHORT TITLE.

This subtitle may be cited as the ``Neighborhood Children's Internet Protection Act".

SEC. 1732. INTERNET SAFETY POLICY REQUIRED.

Section 254 of the Communications Act of 1934 (47 U.S.C. 254) is amended by adding at the end the following:

``(l) **INTERNET SAFETY POLICY REQUIREMENT FOR SCHOOLS AND LIBRARIES**.--

``(1) **IN GENERAL**.--In carrying out its responsibilities under subsection (h), each school or library to which subsection (h) applies shall--

``(A) adopt and implement an Internet safety policy that addresses--

``(i) access by minors to inappropriate matter on the Internet and World Wide Web;

``(ii) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;

``(iii) unauthorized access, including so-called `hacking', and other unlawful activities by minors online;

``(iv) unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and

BEST COPY AVAILABLE

''(v) measures designed to restrict minors' access to materials harmful to minors; and

''(B) provide reasonable public notice and hold at least one public hearing or meeting to address the proposed Internet safety policy.

''(2) **LOCAL DETERMINATION OF CONTENT**.--A determination regarding what matter is inappropriate for minors shall be made by the school board, local educational agency, library, or other authority responsible for making the determination. No agency or instrumentality of the United States Government may--

''(A) establish criteria for making such determination;

''(B) review the determination made by the certifying school, school board, local educational agency, library, or other authority; or

''(C) consider the criteria employed by the certifying school, school board, local educational agency, library, or other authority in the administration of subsection (h)(1)(B).

''(3) **AVAILABILITY FOR REVIEW**.--Each Internet safety policy adopted under this subsection shall be made available to the Commission, upon request of the Commission, by the school, school board, local educational agency, library, or other authority responsible for adopting such Internet safety policy for purposes of the review of such Internet safety policy by the Commission.

''(4) **EFFECTIVE DATE**.--This subsection shall apply with respect to schools and libraries on or after the date that is 120 days after the date of the enactment of the Children's Internet Protection Act.".

SEC. 1733. IMPLEMENTING REGULATIONS.

Not later than 120 days after the date of enactment of this Act, the Federal Communications Commission shall prescribe regulations for purposes of section 254(l) of the Communications Act of 1934, as added by section 1732 of this Act.

BEST COPY AVAILABLE

Sample Internet U se Policy
that includes language required in the
Neighborhood Children's Int ernet Protection Act

Mission

The mission of the [blank] Library (herea fter referred to as the "Library") is [blank].

The Library subscribes to and supports th e Library Bill of Rights and its Interpretations, particularly Access to E lectronic Information, Services, and Networks.

Internet Access

The Internet, a world -wide network of computer networks is an e ssential medium for obtaining and transmitting inf ormation of all types. Therefore, public access to the Internet is germane to the Library's mission.

However, the Internet is an unregulated m edium. It also provides access to information that is inaccurate, illegal o r that some may find offensive or disturbing. The Library will identify on its web site specific Internet sites that have potential interest for Library users. But the Library cannot control a user's access to other Internet resources.

Responsibilities of Library Staff and Use rs

Library staff will not monitor a user's I nternet use, except for length of use in order to ensure equal opportunity of access for everyone. The user, or the parent of a minor, is responsible for his or her Internet session at all times.

The Library reserves the right to termina te an Internet session that disrupts library services or that involves user be havior that violates the Library's policies.

As with all Library resources, the Librar y affirms the right and responsibility of parents/guardians, NOT Library staff, to determine and monitor their minor children's use of the Internet. (Minors are defined in this policy as children and young people under the age of 18 years.) Parents are responsible for their minor children' s use of the Library's resources and facilities. Parents who believe that thei r children cannot responsibly use the Library's Internet access are request ed to monitor their children's Internet use.

Disclaimers

While the Library endeavors to provide ac cess to information of the highest quality, the Library specifically disclai ms any warrant as to the information's accuracy, timeliness, autho ritativeness, usefulness or fitness for a particular purpose.

The Library will have no liability for di rect, indirect or consequential damages related to the use of information accessed through the Library's Internet service.

BEST COPY AVAILABLE

Since software and information downloaded from any sources, including the Internet, may contain computer viruses, users are advised to utilize virus checking software on their home computers. The Library is not responsible for damage to users' disks or computers or for any loss of data, damage or liability that may occur from use of the Library's computers.

Unacceptable Uses of Computers
==========

Among the uses that are considered unacceptable and which constitute a violation of this policy are the following:

1. Uses that violate the law. Transmitting of offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by law; viewing, transmitting or downloading illegal materials or materials; downloading or transmitting confidential, trade secret information, or copyrighted materials. Even if materials on the networks are not marked with the copyright symbol, users should assume that all materials are protected unless there is explicit permission on the materials to use them.

2. Uses that cause harm to others or damage to their property. Engaging in defamation (harming another's reputation by lies); uploading a worm, virus, "trojan horse," "time bomb" or other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.

3. Uses that jeopardize the security of access of the computer network or other networks on the Internet. Disclosing or sharing the user's password with others; impersonating another user; using one's own software programs on the library's computers; altering the Library's computer settings; damaging or modifying computer equipment or software.

4. Uses that compromise the safety and security of minors when using e-mail, chat rooms and other forms of direct electronic communications: Minors under age 18: Giving others private information about one's self or others, including credit card numbers and social security numbers; arranging a face-to-face meeting with someone one has "met" on the computer network or Internet without a parent's permission.

<----------->

----------->FOR LIBRARIES THAT MEET THE DEFINITION OF A "PUBLIC AGENCY" AS DEFINED IN 1 V.S.A. § 317(A), INSERT THE FOLLOWING:< ----------

[Confidentiality of Library Records]
==========

[In accordance with 1 V.S.A. § 317 (c)(19), the following are exempt from public inspection and copying --records relating to the identity of library patrons or the identity of library patrons in regard to the circulation of library materials]

<----------->

Procedures
==========

The Library staff will develop such rules and procedures as are necessary to

BEST COPY AVAILABLE

ensure the fair and reasonable use of Int ernet access.

Response to Violations
==========

The user's access to the Library's comput er network and Internet is a privilege, not a right. A user violates t his policy by his or her own action or by failing to report any violations by other users that come to the attention of the user. Further, a user vi olates this policy if he or she permits another to use his or her account or password to access the computer network and Internet. Failure to comply w ith this policy and its procedures will result in the forfeiture of the user 's right to access these computers.

Compliance with the Neighborhood Children 's Internet Protection Act (NCIPA)
========== ==========

The Library believes this policy to be in compliance with the requirements of the Children's Internet Protection Act (C IPA), Pub. L. No. 106 -554, Subtitle C (Neighborhood Children's Internet Prote ction Act), § 1731-32.

Adopted: [Date]

[Blank] Library Board of Trustees

_____
Chair

<---------->
[Portions taken from Newark Public Library , New Jersey State Library, and The Indian Valley [Ohio] Local School Distric t; and from ALA's Access to Electronic Information, Services and Netw orks. This is just a sample; your Internet Use Policy may differ, but needs to address your local conditions and the NCIPA mandates, if applicable to your situation.]

BEST COPY AVAILABLE

BY-LAWS AREN'T POLICIES

Policies guide the day-to-day operation of the library, and by-laws govern the operation of the board of trustees. If your library is an "incorporated" public library, 22 V.S.A. Sec. 107 states that trustees "may make bylaws for the management of such corporation and library. The bylaws shall set forth the officers of the corporation and define and prescribe their respective duties." If your library is a "municipal" public library, trustees have "full power to manage the public library, make bylaws, elect officers..."

In either case, by-laws are procedures for the board to use in carrying out its work. As with policies, all trustees and the librarian should have a copy of the trustees' by-laws which should also be reviewed regularly. By-laws usually cover the following points:

1. Purpose of board
2. Membership on the board - how appointed/elected
3. Terms of office of trustees - staggered terms; term limits, if any
4. Officers
    a. how and when elected
    b. terms of office
    c. duties
5. Meetings
    a. frequency
    b. dates
    c. times
    d. location
    e. provision for special meetings
    f. compliance with Vermont Open Meeting Law
6. What constitutes a quorum
7. Committees
    a. appointments
    b. functions
8. Order of business to be followed at meetings (agenda)
9. General duties and responsibilities
    a. trustees
    b. librarian
10. Budgetary and financial procedures
11. Membership in state and national organizations
12. Use of parliamentary procedure
13. Method of amending by-laws

According to *The Law of Public Libraries*, co-published by the Vermont Secretary of State's Office and the Department of Libraries,

> In law, the term "bylaws" means binding rules, while policies are softer regulations. Bylaws take the form of mandating certain behavior... For incorporated public libraries, bylaws are enacted upon

written notice at a special board meeting having a minimum of two days notice to the trustees. 11B V.S.A. §§ 2.06 & 8.22. For municipal public libraries, trustees should follow the process set out in 24 V.S.A. § 1971 and following for adoption of bylaws (also called ordinances), a process that requires posting and publication of the bylaws within 14 days following adoption, a right of voters to petition for a vote of disapproval of the bylaws within 44 days of the adoption, and an effective date 60 days from the date of adoption if no petition challenging the bylaws is received... To adopt a policy, all that's needed is a motion and vote, under an appropriate agenda item.

Some sample by-laws are included in this booklet; more are available from the Department of Libraries.

FOR FURTHER READING / INQUIRY

Barclay, Donald A. Managing public-access computers: a how-to-do-it manual for librarians. Neal-Schuman Publishers, 2000.

Cassell, Kay Ann, & Elizabeth Futas. Developing public library collections, policies, and procedures: a how-to-do-it manual for small and medium-sized public libraries. Neal-Schuman Publishers, 1991.

Intellectual Freedom Manual, 6th ed. ALA, Sept., 2001. 0-8389-3519-2. $45.
Includes guidelines for developing policies as well as important ALA intellectual freedom documents, their interpretations, and their history. An essential purchase for most public libraries.

Jones, Barbara M. Libraries, access, and intellectual freedom: developing policies for public and academic libraries. ALA, 1999.

PLA handbook for writers of public library policies. PLA, 1993.
Checklists of areas to address.

Ross, Catherine Sheldrick, & Patricia Dewdney. Communicating professionally: a how-to-do-it manual for library applications, 2nd ed. Neal-Schuman Publishers, 1998.

Simon, Anne, ed. Kids welcome here! writing public library policies that promote use by young people. New York Library Assoc., 1990. Covers all aspects of library service to children from access to programming to building use.

Websites

http://www.ala.org/alaorg/oif/internettoolkit.html
Libraries & the Internet Toolkit, prepared by the ALA Association for Library Service to Children, Library and Research Center, Office for Intellectual Freedom, Public Information Office, Public Library Association and Washington Office. Includes Librarians' Online Tip Sheet, Libraries, the Internet and Filtering Fact Sheet, Libraries, Children & the Internet Q&A, *Libraries: An American Value*, Statement of Commitment to Excellence In Library Service to Children in a Technological Age, and Key Contacts.

http://www.ala.org/alaorg/oif/americanlibrarybasics.html
Includes links to *Library Bill of Rights*, Interpretations to the *Library Bill of Rights*, *Libraries: An American Value*, and Code of Ethics.

http://www.childrenspartnership.org/pub/pbpg.html
The Parent's Guide to the Information Superhighway, for parents and board members, with good information on blocking software, Net safety, and age-appropriate computing.

http://www.dpi.state.wi.us/dpi/dltcl/pld/policies.html
Wisconsin Public Library Policy Resources Page, including links to Wisconsin public library policies on the web. Excellent resource, including a training module on essential policies for trustees, a section just for small public libraries, and more.

http://essexjunction.org/Library/compuse.htm
Brownell Library (Essex Junction, VT) Rules for Computer Use

http://homepags.together.net/~windsorl/policies.htm
Windsor (VT) Public Library policies. By-laws of the board of trustees also available at this site.

http://www.mrsc.org/infoserv/publiclib/libpolicy.htm
Library Policies on the Web, sponsored by the Municipal Research & Services Center of Washington State. Includes links to sample policies from large and small libraries.

http://www.monroe.lib.in.us/~lchampel/netadv.html
The Internet Advocate site, a web-based resource guide for librarians and educators interested in providing youth access to the net – includes links to sample policies from schools and public libraries as well as to thoughtful pieces about youth access.

http://owls.lib.wi.us/info/3ps/policies/sample_policies.htm
"Sample library policies for the small public library," compiled by the Wisconsin Assn. of Public Libraries, 1999.

http://www.sec.state.vt.us/municipal/pubs/library.html#lpl
The Law of Public Libraries, co-published by the Vermont Secretary of State's Office and the Department of Libraries in 2000.

http://www.state.vt.us/libraries/m761/selection.html
Kellogg-Hubbard Library (Montpelier, VT) Book Selection Policy (4-15-98). Also available at this library's site are Rules of Conduct and Internet Policy (1998)

_____ Public Library

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

Name_____ Date_____

Address_____ Phone_____

City_____ State____ ZIP_____

Resource on which you are commenting:

_____Book _____Audio-visual Resource

_____Magazine _____Content of Library Program

_____Newspaper _____Other

Title:_____

Author/Publisher or Producer/Date:_____

1. What brought this resource to your attention?

2. To what do you object? Please be as specific as possible.

3. Have you read or listened or viewed the entire content? If not, what parts?

4. What do you feel the effect of the material might be?

5. For what age group would you recommend this material?

6. In its place, what material of equal or better quality would you recommend?

7. What do you want the library to do with this material?

8. Additional comments:

SAMPLE POLICIES AND BY-LAWS

The following pages include sample policies, portions of policies, and by-laws from some Vermont public libraries. You may find the language helpful to incorporate in your own library's policies. If you would like more samples, please contact the Department of Libraries. Every attempt has been made to include documents from both municipal and incorporated public libraries. Please note that your library's status will affect the development of its policies and, particularly, the by-laws of the board of trustees.

Policies included

Charlotte Library (incorporated)
Haskell Free Library, Derby Line (incorporated)
Sherburne Memorial Library, Killington (municipal)
Windsor Public Library (incorporated)

By-laws included

Windsor Public Library (incorporated)
Sherburne Memorial Library, Killington (municipal)

I. Library Operation

A. General Considerations

1. The services of the library are provided free of charge to the residents of Charlotte.

2. The library will meet the minimum standards for Vermont public libraries.

3. The library will be open at hours convenient to the community within the constraints of the yearly budget. The library is closed on the following holidays:

   New Year's Eve Day (half day)
   New Year's Day
   Presidents' Day
   Town Meeting Day
   Memorial Day (observed)
   Independence Day
   Labor Day
   Veterans' Day
   Thanksgiving (two days)
   Christmas Eve Day (half day)
   Christmas Day

4. Residents may register as borrowers without charge. Non-residents may be charged an annual fee.

5. Library users will fill out a registration card and be given a library card with an identifying number. Parents will be asked to sign registration cards and be responsible for materials signed out for children under the age of 14.

6. Library materials may be borrowed for a period of two weeks renewable for another two-week period unless on request by another patron. Materials may be renewed by telephone.

7. In general, reference, special-demand, and irreplaceable materials will be used in the library. Such materials may circulate at the discretion of the Librarian.

8. There is no charge for overdue materials. Borrowers will be charged the replacement cost of materials lost or damaged beyond repair.

9. Grounds for denial of library privileges include: negligence in returning library materials when due, failure to make restitution for lost or damaged materials, or failure to adhere to library policies. Library privileges may be reinstated at the discretion of the Board.

10. The library will keep records on circulation, which may be reported in the town's annual report. The library recognizes, however, that its circulation records and other records that

link the names of library users with specific materials are strictly confidential. These records shall not be made available to any party except as required by law.

11. The library is governed by a board of five trustees. One trustee is elected each year at Town Meeting to serve a five-year term. Trustees' meetings are held at least four times a year and are warned and open to the public.

12. The Trustees and the Librarian shall prepare a yearly budget and present the proposed budget to the Selectboard for approval.

B. Unattended Children in the Library

1. Parents or legal guardians are always responsible for the well-being and safety of their children.

2. Preschool children shall at all times be attended and adequately supervised by a responsible adult. School-aged children may use the library unattended provided that they adhere to the Library's rules, regulations, and policies.

3. The Library is not responsible for enforcing the restrictions a parent deems appropriate in terms of the materials the child may access.

4. The Library assumes no responsibility for children of any age left unattended. Further, parents or legal guardians assume all liability for damage done by their children to the library. This includes damage to materials, computers, furnishings, and to the facility itself.

C. Building Use

Bearing in mind the size constraints of our facility and the scheduling logistics overseen by the librarian, the library is available for group meetings, free of charge, on a first-come, first-served basis subject to the following conditions:

1. Space reservations for the use of the library must be made with the Librarian at least one week in advance.

2. A library use form shall be filled out and filed with the Librarian at least 48 hours in advance of the meeting time. The organization, including a named Charlotte resident associated with the event, will assume all liability for any damage that occurs.

3. If the event may reasonably be expected to attract more than 25 people, the library may request proof of liability insurance no later than 24 hours prior to the meeting time, and the organization sponsoring the event may be asked to provide a private security officer at the discretion of the board.

4. No admission shall be charged.

5. The facility must be cleaned up and left in the same condition as it was prior to the event. If applicable, the doors shall be locked, the lights turned out, and the key returned promptly.

6. Refreshments may be served by groups using the library with the exception of alcohol, which is not permitted.

7. There will be no smoking in the Library at any time.

Revised: September 5, 2000

B. Gifts

1. The Library accepts gifts of books and other materials on the condition that the Librarian has the authority to make whatever disposition is deemed advisable under the Library's selection policy.

2. Gifts of money, real property, and/or stock will be accepted if conditions attached thereto are

II. Collection Development

A. General Considerations

1. The Library will strive to develop and maintain a well-balanced collection of the best and most useful materials available, in view of the overall needs of the community and within the limits of the yearly budget. The Library's collection will include any materials that help meet its objectives, such as books, periodicals, newspapers, pamphlets, audio and video recordings, and computer software.

2. The Board recognizes the rights of library users to have free access to the widest diversity of views and expressions as guaranteed under the First Amendment to the Constitution.

3. It is understood that neither the library staff nor the Board needs to endorse every idea or presentation contained in the materials that the library makes available.

4. The Board believes that censorship is a purely individual matter and declares that, while anyone is free to reject for oneself materials that do not meet with one's approval, one cannot exercise this right of censorship to restrict the freedoms of others.

5. The Board supports the principles of intellectual freedom inherent in the First Amendment of the Constitution of the United States and as expressed in the *Library Bill of Rights* and the *Freedom to Read Statement* adopted by the American Library Association (see Appendices). The Board further declares that whenever censorship is involved, no book or library material shall be removed from the Library unless required by law.

6. The Librarian is responsible for selecting, acquiring, and evaluating library materials, using standard library acquisition methods and tools. Any material so selected shall be held to be selected by the Board.

7. The Library welcomes suggestions and requests from its users, which will be considered in the purchasing process.

8. Selection of library materials shall be made in consideration of their general interest, information value, and consistency with the Library's mission. The Library will attempt to include within the collection materials presenting all points of view with no exclusion due to the race or nationality or the social, political, or religious views of the authors.

BEST COPY AVAILABLE

g. Materials that meet the purposes of the Library or that meet existing needs or interests will not be removed from the Library because of pressure by individuals or groups.

h. It is the responsibility of parents or legal guardians to determine what their children – and only their children – may read, use, or borrow. The selection of materials and development of services by the Library will not be restricted by the possibility that young people may obtain materials that their parents or legal guardians consider inappropriate.

i. Access to library materials will not be restricted except in cases where, at the discretion of the Librarian or Board, the materials have a historical or other value necessitating their restricted use.

2. For policies related to computer and Internet use, see Section III.

Revised: September 5, 2000

III. Computer and Internet Use

The Trustees, Librarian, and support staff seek to provide an atmosphere that is pleasant and law-abiding. The following rules governing access to electronic information are designed to achieve this end:

1. The violation of any federal, state, or local law governing information access, including but not limited to copyright law, is prohibited. Any illegal activity will be dealt with to the full extent of the law.

2. We recognize that the Library, as a public facility, receives visitors of all ages and sensibilities, and we expect our patrons to be sensitive to the rights of others. Accordingly, the viewing of material or text that is inappropriate in a public forum is prohibited.

3. An Internet session is limited to one-half hour if another patron is waiting.

4. Patrons may access E-mail and chat rooms.

5. A patron may print three pages at no charge. Additional pages are charged at ten cents per page.

6. Patrons may not use personal software; floppy disks to download information are also prohibited.

7. Any attempt to alter, remove, or add hardware or software configurations is prohibited.

8. The Library cannot be responsible for any damage or loss of patron's data that may occur while using the computer.

9. Any damage to the computers or damage or loss of the Library's computer-related materials will be charged (at replacement value) to the patron responsible, or his/her parent or guardian.

10. The Library has no control over the information available on the Internet.

11. Patrons should not consider the use of the computers as secure; infringement of a patron's rights is possible and is not the responsibility of the Library.

12. The Library affirms the right and responsibility of parents to guide their children's use of all library resources, including the Internet. The Library is not in a position to enforce parental restrictions and does not assume any responsibility for the supervision of children who are minors.

13. The Library staff can provide only limited assistance with computer use.

14. Users who contravene these rules, or other rules of the Library, may, at the discretion of the library staff, have their computer and/or Internet privileges revoked.

Initially Adopted: September 5, 2000

IV. Personnel

The Charlotte Library is a non-profit organization that works in cooperation with the Town, the larger Vermont library community, and the Vermont Department of Libraries. The affairs of the library are managed by the Board of Trustees.

The library hires both permanent and temporary employees, full-time and part-time, as defined below. It is our belief that the employees are first among the Library's valuable assets, and as such, every attempt is made to deal with employees in ways that are fair, and that will nurture a mutually beneficial relationship between the Library and its staff. The Library is an equal opportunity employer and does not discriminate on the basis of age, sex, race, religion, color, sexual orientation, place of birth, ancestry, physical or mental condition or national origin.

A. Definitions

1. Permanent full-time employees: A permanent full-time employee works on a continuing basis (for an indefinite term), 35 hours or more per week.

2. Permanent part-time employees: Permanent part-time employees work on a regular basis less than 35 hours but more than 20 hours per week. They are not entitled to health or dental insurance, participation in the retirement plan, and/or disability benefits. The Board of Trustees will determine wages and pay increases, with the pay schedule reviewed annually.

3. Part-time employees: Part-time employees work less than 20 hours a week and are not entitled to health or dental insurance, participation in the retirement plan, and/or disability benefits. Wages for employees who work less than 20 hours a week will be determined by the Board, and, at its discretion, in consultation with the Library Director.

4. Temporary employees: Employees who work for the library for a pre-specified period of time (e.g. summer, school year, during vacations, etc.) are not addressed in this policy. The conditions of their employ will be decided by the Library Director subject to the approval of the Trustees.

B. Administration

1. This policy is not considered a contract to employment in whole or in part. The Trustees reserve the right to add, amend, or delete any benefit or policy stated herein at any time.

2. The provisions herein shall be administered by the Trustees. Amendments to these rules or requirements shall be by resolution of the Trustees.

3. The Trustees shall have the full authority granted by law to administer these rules and regulations and to make decisions regarding the employment of personnel for the Library, including, without limitation, the authority to establish positions, eliminate positions, determine the responsibilities and duties associated with a specific position, establish hours of work, and determine the compensation and benefits provided a position.

C. Recruitment

1. Any vacant position shall be posted and advertised in local newspapers stating position, title, approximate salary, and application date deadline as well as other pertinent information.

2. As part of the pre-employment procedure, former supervisors, employers and references provided by applicants shall be checked as a precaution against obtaining undesirable employees. Reference checks made by personal or telephone contact shall be documented. These reference checks shall be completed prior to an offer of employment, and the information shall be made part of the application file. All such information is to be handled as privileged and confidential.

3. All employees must provide the Board of Selectmen with proof of their citizenship or legal immigration status in conformance with federal law. Failure to provide such proof shall result in non-hiring or immediate dismissal.

4. When an emergency hiring situation is declared by the Trustees, any or all of the application process requirements may be waived to insure provision of continuous Town services to its citizens.

D. Probationary Period

1. All appointments by the Trustees for greater than 90 days shall be made with a probationary period of 6 months. The Trustees, in their sole discretion, may reduce this probationary period if it determines that a reduction is justified. One month prior to the end of the probationary period, the Board will carefully review the work of the new employee. Unless otherwise approved by the Trustees, new employees shall be paid at a probationary rate during this period. During the probationary period, the Trustees may remove an employee who is unable or unwilling to perform the duties of the position satisfactorily or whose performance and dependability do not merit continuance in the service of the Town.

2. The Trustees may establish a corrective probationary period for an employee who has received an unsatisfactory evaluation in any annual evaluation. This probationary period may, in the discretion of the Trustees, be established for a period of up to 90 days.

3. Improved performance and subsequent evaluation can result in the probationary status concluding.

4. Failure to improve during the probationary period may result in suspension without pay or termination.

5. During the probationary period there will be no reduction in pay or loss of fringe benefits.

E. Employee Responsibilities and Performance Review

1. Each employee will be given a position description at the time of employment, which shall stipulate the qualifications for and responsibilities required of the position. The Board of Trustees will review each position description on an annual basis with the employee (in consultation with the Library Director as appropriate), at which time any modifications deemed necessary or advisable may be made.

2. This meeting shall occur in the month of July unless otherwise scheduled by the Trustees. At this evaluation, the Trustees will present the Library Director (or any other library employees in the Trustees' discretion) with a written performance review.

3. Also at this time, the employee is required to submit his or her own self-evaluation, which shall specify his or her perceived strengths and weaknesses. This self-evaluation shall also detail the employee's goals for the coming year.

4. Following a conference during which the evaluation shall be discussed, both the employee and a member of the Trustees shall sign the evaluation. The signature of the employee does not indicate that he or she agrees with the evaluation, only that the report has been shared and discussed.

5. The signed, written evaluation will then be placed in the employee's personnel file and the employee will receive a copy. The employee may at any time during normal business hours view the file in the presence of a member of the Trustees or an authorized representative.

F. Standards of Conduct

1. The Charlotte Library strives to provide services to its patrons and has a responsibility to perform in the most effective and efficient manner possible. Discipline and/or discharge will result from any action or inaction resulting in anything less than satisfactory performance. All employees will be fairly and consistently subject to disciplinary and discharge procedures, given the facts of the individual case.

2. *Unacceptable Behavior of a Substantial Nature:* Unacceptable employee conduct of a substantial nature shall include, without being limited to: insubordination, use or being under the influence of drugs or alcohol while on duty, dishonesty, recklessness on the job, attitude which constitutes an unwholesome influence on other employees, failure to obey a reasonable order either verbal or written, falsification of records, fighting on duty, conviction of offenses against the law which would affect the employee's performance, violation of any Town rules which result in serious personal or property damage, or use of abusive language toward any member of the Trustees or the general public.

3. *Unacceptable Behavior of a Serious Nature:* Unacceptable employee conduct of a serious nature shall include, without being limited to: abuse of sick leave, failure to request leave in

advance, leaving without permission, unexcused absences, chronic absenteeism, unexcused and/or excessive lateness, carelessness, negligence, short cuts, horseplay, gambling, sleeping on duty, theft, disregard for safety rules, possession of firearms or dangerous weapons on duty, willful damage to property, and/or falsifying work records.

4. *General Obligations:* It is the general obligation of every employee to fulfill to the best of his or her ability the duties and responsibilities of the employee's position. Employees shall, during their hours of duty, be subject to such other laws, rules and regulations that pertain thereto, and devote their full-time attentions and efforts to their office and employment. Employees shall not use their positions to secure special privileges or exemptions for themselves or others. Employees shall not use Library property or equipment without written authorization from the Trustees or their authorized representative for the employee's private use or for any use other than that which serves the Library's interest. Such private use is seriously discouraged and shall be approved only in emergency situations as determined by the Trustees or their authorized representative.

5. *Attendance:* No employee of the Library shall be absent from duty without permission. Any unauthorized absence of a day or any part of a day will result in a forfeiture of compensation for the period of absence, unless otherwise determined by the Trustees.

6. *Political Activity:* An employee shall not use his or her official authority for the purpose of interfering with or affecting the nominations or election of any candidate for public office in the Town of Charlotte. This rule is not to be construed to prevent an employee from becoming or continuing to be a member of any political party or from attending political meetings or signing petitions for a candidate for public office.

7. *Contracts.* No employee shall be beneficially interested directly or indirectly in any contract with the Town, regardless of amount, or furnish any material, or perform any labor except in discharge of his or her official duties unless such contract shall have been awarded upon bids advertised for by publication, as specified in the Town's Personnel Rules and Regulations.

G. Disciplinary Sanctions and Procedures

1. Oral and Written Reprimands

   a. For the first violation or any violation immediately following 6 months of no disciplinary action against the employee of any rule, inaction or prohibited action not severe enough to warrant consideration of dismissal, the Trustees may issue an oral reprimand to the offending employee. Written records of oral reprimand shall be entered in the employee's personnel folder and signed by the employee. Such record shall be removed from the employee's personnel folder 6 months after its inclusion provided no other disciplinary action has transpired during that time. If additional disciplinary action is required during this 6-month period, the record of the initial oral reprimand shall only be removed upon completion of a 6-month period without any disciplinary action.

b A violation of any rule, inaction or prohibited action within 6 months of an oral reprimand or where more severe initial action is warranted can result in the Trustees issuing a written reprimand to the offending employee. The reprimand will be issued to the employee in conference with the Trustees with a witness present and shall detail the incident necessitating the action and the rule or rules violated. A written record of oral reprimand signed by the Trustees and conference witness shall be entered into the employee's personnel folder. Such record shall be removed from the employee's personnel folder 6 months after its inclusion provided no other disciplinary action has transpired during that time. If additional disciplinary action is required during this 6-month period, the record of the written reprimand shall only be removed upon completion of a 6-month period without any disciplinary action.

2. Suspension Without Pay

A violation of any rule, inaction or prohibited action, or any other behavior warranting disciplinary action within 6 months of the issuance of a written reprimand can result in the Trustees suspending an employee without pay for up to 10 working days. Such suspended employee shall be notified of such action in writing during a conference with the Trustees with a witness present, which statement will include the incident necessitating the action and/or the rule or rules violated. A copy of the written notification shall be removed from the employee's personnel file upon successful completion of the 6 months of service without disciplinary action. Employees suspended shall also be informed in writing of the appeal procedure provided under these Personnel Rules and Regulations.

3 Dismissal

The Trustees or their authorized representative may dismiss any employee whose actions or inactions violate Town rules and regulations as set forth in the paragraphs above. Prior to dismissing an employee, the Trustees or their authorized representative shall meet with the employee to inform the employee of the conduct prompting consideration of dismissal and provide the employee an opportunity to respond to the allegations of misconduct. If following this meeting, the Trustees decide to dismiss the employee, the dismissed employee will be notified of such action during a conference with the Trustees or their authorized representative with a witness present and will include a description of the incident necessitating the action and/or the rule or rules violated. An employee so dismissed shall also be informed in writing of the reasons for dismissal and the appeal procedure provided under these Personnel Regulations.

H. Appeal Procedure

1. Appeals from dismissal or suspension shall be made by an employee by applying in writing to the Trustees within 5 working days of such dismissal or suspension.

2. If a hearing is requested, the Trustees shall hold a hearing as requested by the employee, within 10 days of receipt of the employee's written request for a hearing, or as promptly as reasonable.

3. At the hearing, the employee, at his/her discretion, may be present, present testimony, be represented by counsel, examine the evidence against him or her, and/or cross-examine witnesses.

4. The Trustees shall make their decision and inform the appellant within 7 days.

5. If the action of the Trustees is in favor of the employee, he or she shall be restored to his or her original position with full pay for the period since dismissal or suspension. The Trustees can also reduce the disciplinary action to suspension without pay or reprimand.

6. The decision of the Trustees shall be final.

I. Grievances

1. It is the intent of the Town of Charlotte to address grievances informally. Employees are encouraged to make every effort to resolve problems as they arise. It is recognized, however, that there may be grievances, which will be resolved only after a formal appeal and review. When this is the case, the procedure listed here will be followed.

2. A grievance is any matter considered by the employee as grounds for complaint, except in the case of personnel action arising out of dismissal or suspension. Adjustment for such complaints is separately provided for in Sections G and H.

3. An employee who believes that inequitable treatment has been received because of some condition of employment may personally or through representatives appeal for relief from that condition to the Trustees.

J. Non-disciplinary Termination and Resignation

1. The Trustees may dismiss any employee if they eliminate the employee's position or if the employee becomes unable to perform the duties of the position for reasons which are beyond his/her control. The Trustees shall provide such employee written notice of its intent to dismiss the employee and the reasons for such dismissal. The Trustees shall also provide the employee an opportunity to meet with them to review the reason for dismissal. Following such meeting, the Trustees shall provide the employee written notice of their decision. The Trustees' decision shall be final.

2. An employee who resigns his or her employment with the Town shall be deemed to be terminated in good standing if he or she gives reasonable notice to the Trustees or their authorized representative of the intention to resign and if other circumstances of the termination are such as to justify good standing.

K. Hospitalization and Medical Insurance

Permanent full-time employees of the Town will become eligible for complete health coverage as then offered by the Town upon hire. Application must be made through the Board of Selectmen.

L. Retirement

The Town of Charlotte participates in the Social Security Program, and all employees are required to participate as well. In addition, the Town participates in the Vermont Municipal Employee Retirement system.

M. Sick Leave

1. All permanent full-time employees are entitled to one day of sick leave per month. Sick leave may be accumulated indefinitely. Upon termination of employment voluntarily, involuntarily, or upon retirement, however, no compensation shall be granted for any unused portion of sick leave remaining. If an employee runs out of sick leave, he or she may use vacation time, if authorized by the Trustees.

2. Sick days earned shall only be paid to employees for his/her absence due to illness or injury to themselves or their immediate family or household members, and shall equal 8 hours pay at the employee's regular straight time rate. More than 3 consecutive workdays of absence to be compensated under this section shall require a certificate from a licensed physician stating the necessity of the absence unless otherwise excused by the Trustees. In addition, the Town may require such a certificate for any leave requested under this section.

3. All permanent part-time employees who work more than 20 hours per week are entitled to sick leave benefits on a prorated basis.

N. Maternity Leave

1. A female employee as defined in V.S.A. Title 21, Section 472, who works over 30 hours per week, shall be entitled to take unpaid leave for a period not to exceed 12 weeks during the employee's pregnancy and following the birth of the child.

2. Accrued sick leave or vacation leave, not to exceed 6 weeks, consistent with existing policy, may be used by the employee during maternity leave. However, utilization of accrued vacation leave shall not extend the leave provided in the paragraph above.

3. The Town shall continue employment benefits for the duration of the leave. The Town may require that the employee pay the entire cost of the benefits during the leave at existing Town rates.

4. Written notice of intent to take maternity leave shall be given by the employee, including the date the leave is expected to commence and its estimated duration. Upon approval by the Trustees, an employee may return from leave earlier or later than estimated.

5. Upon return from maternity leave, the employee shall be offered the same or comparable job at the same level of compensation, employment benefits, seniority or any other term or condition of employment existing on the date leave began.

6. Except for serious illness, an employee who, upon completion of maternity leave does not return to the employment of the Town of Charlotte, will have to return to the Town the value of any compensation paid to or on behalf of the employee during the leave except payments of accrued sick leave or vacation leave.

O. Leaves of Absences

1. General Policy: The following types of leaves are officially established: holiday, vacation, sick leave, maternity leave, injury leave, death in the family, and leave without pay. All leaves may be granted by the Trustees in conformance with rules established for each type of leave.

2. Holidays: The following holiday shall be official holidays together with any other day so proclaimed by the Trustees: New Year's Eve Day (1/2 day), New Year's Day, Presidents' Day, Town Meeting Day, Memorial Day (observed), Independence Day, Labor Day, Veterans' Day, Thanksgiving (2 days), Christmas Eve (1/2 day), and Christmas Day.

3. In addition to the above-specified holidays, two personal days per year shall be granted to each permanent full-time employee who shall be compensated for these days as though he/she had worked a normal working day. These two personal days off must be approved by the Trustees 24 hours in advance unless otherwise approved.

4. Town employees shall observe any legal holiday which falls on a Sunday on the following Monday.

5. Permanent full-time employees shall be compensated for holidays as though the employee has worked his or her normal work day. Any permanent full-time hourly employee who is required to work on a holiday shall, in addition to the holiday pay, be paid at his regular rate.

6. Permanent part-time employees who work over 20 hours per week shall be compensated for holidays on a pro-rated basis.

7. Permanent full-time employees or permanent part-time employees wishing to observe religious holidays not listed by the Trustees shall, at their option, be given time off without pay or have the time charged to their vacation.

8. Vacation: Annual vacation leave, based on continuous service, shall be granted on the following basis for all permanent full time employees:

After one year – two weeks
After five years – three weeks
After ten years – four weeks

9. One week is the equivalent of one regular work week and represents the number of days and hours which the employee normally works each week. All employees are encouraged to take their vacation leave annually. A maximum of up to one week accrued vacation time may be carried over. Should the leave time not be taken during the following year, it shall be forfeited. Vacations will be taken at the discretion of the Trustees. Upon termination, an employee may be paid for accrued vacation not to exceed a total of 15 days.

10. Permanent part-time employees who work over 20 hours per week will receive prorated vacation leave based on the average number of hours worked per week. Vacation time must be taken from the anniversary date to anniversary date. If leave time is not taken during that year, it shall be forfeited. Vacations will be scheduled at the discretion of the Trustees upon consultation with the employee.

11. Civil Duty: All full-time employees entitled to vote in national, state, and municipal elections shall, when necessary, be allowed sufficient time off with pay to exercise this right.

12. Jury Leave: Should any full-time employee be called for jury duty within the state or federal judicial court system, the Town will pay the salaried employee for the missing day and the hourly employee will be reimbursed by the court within the limits set by that institution.

P. Pay Plan

1. The Trustees shall, on an annual basis, review and establish the pay for each position covered by these Personnel Regulations. Pay for each position shall be established as an annual salary or an hourly rate for hours actually worked.

2. The regular rate of pay for a position for which an annual salary is provided shall be determined by dividing the annual salary by the number of regularly scheduled hours to be worked during the year. The regular rate of pay for an employee for which an hourly rate of pay is established shall be the hourly rate of pay.

3. In accordance with the provisions of the Fair labor Standards Act, as amended, it shall be the policy of the Town of Charlotte to pay 1 ½ times an employee's regular hourly rate of pay to all employees (except those on an annual salary) for required work

performed in excess of 40 hours during a given work week. Each employee, other than the Librarian, shall fill out his/her weekly time sheet and submit the same to the Librarian for approval. The Librarian shall in turn submit such time sheets to the Trustees, unless otherwise authorized.

4. An hourly employee shall be paid for the actual number of hours worked during each work week. Salaried employees shall be paid an annual rate divided by the number of pay periods per year. An employee who is absent without leave may forfeit pay at the discretion of the Trustees. When absent on authorized sick or vacation leave, each employee shall be paid at the regular rate. After one year's service, an employee who leaves the service of the Town shall be paid for all unused vacation time not to exceed a total of 15 days.

Q. Workplace Health and Safety

1. In the interest of the safety and well-being of Town workers, all employees shall acquaint themselves with the rules and regulations of the Vermont Occupational Safety Hazards Act (VOSHA). The Trustees shall be responsible for enforcing safety rules as required by such act and/or adopted by the Town.

2. All employees shall conduct themselves in a safe manner at all times in accordance with these regulations and shall not violate the VOSHA regulations. Any defective, unsafe equipment or practices shall immediately be brought to the attention of the Trustees, and use of such unsafe equipment or practice shall cease immediately.

3. In accordance with V.S.A. Title 18, Section 1421, *et seq.*, the Town of Charlotte shall establish and post in a conspicuous place, a written smoking policy that restricts smoking in the work place. An employee's failure to comply with the smoking policy shall constitute cause for disciplinary action, and the failure of the Trustees to implement or enforce the policy shall be grounds for a grievance procedure by an aggrieved employee, and any violations shall be promptly remedied.

R. Personnel Records and Release of Information

1. The Trustees shall maintain a personnel file on each employee. An employee's personnel file shall contain relevant information regarding the employee's employment with the Town including, without limitation, a job description for the employee's position, the employee's application for employment, information regarding pay and benefits, evaluations, and written reprimands. The personnel files shall be maintained in a place that is reasonably secure from access by the public or Town employees. An employee may review his or her personnel file upon request to the Trustees and at a time when a member of the Trustees or designated representative may be present.

2. Personnel records of employees are considered confidential. Requests for information concerning an employee's or former employee's job history, job performance, and circumstances of job termination, and for access to personnel records shall be denied except as follows:

   a. a current or former employee's dates of employment and job title(s) will be provided upon a request addressed to the Trustees;

   b. upon receipt of a written waiver and consent to a full release of information (form available from the Town Offices), executed by the employee or former employee; and/or

   c. pursuant to a Court order; and

   d. upon a request by Town officers, employees, and agents who, in the opinion of the Trustees, need such access for bona fide Town purposes.

3. Where the privacy rights of others or public policy interest of the Town are involved, Town officers may exercise their discretion in limiting access by third parties to information in personnel files, despite waiver and consent by the employee.

S. Non-discrimination Policy

1. The policy of the Town of Charlotte is to maintain and promote equal employment opportunity. The Town will select candidates for employment on the basis of the candidate's qualifications for the job and will treat employees fairly with respect to all aspects of employment, including compensation, evaluation and opportunity for training and advancement without regard to age, sex, race, religion, color, sexual orientation, place of birth, ancestry, physical or mental condition or national origin. Equality in such opportunities has been and is the basic policy of the Town.

2. Any employee who believes that any practice or action of the Town is inconsistent with this policy of non-discrimination should bring such matter to the attention of the Trustees promptly and should pursue the grievance policy and procedure set forth in these Personnel Regulations if the matter is not resolved.

Initially Adopted: October 6, 1998
Revised: September 5, 2000

V. Ownership and Display of Art

A. Ownership

The Charlotte Library will not accept any gifts of art or gifts toward the purchase of art, except when the latter are of an unrestricted nature. However, the Library reserves the right to commission works of art or to make purchases of art that it considers consistent with its mission and appropriate to the collection. The Library also considers availability of proper storage, the need for conservation, and adequate insurance coverage. The Librarian and Art Curator may serve in an advisory capacity to the Library Trustees who make all final and binding decisions with regard to the acquisition of art. The Art Curator is appointed by the Board for an indefinite term. The Curator's responsibility is to coordinate the display and removal of art, communicate with the artist, and curate regular shows.

B. Exhibits

Because the Library considers the direct experience of art to enhance the quality of individual life as well as community culture, it will accept art for temporary display in the public area of the library building. The Library has established guidelines to govern the review, selection, and scheduling processes as well as the responsibilities of both the Library and the exhibiting artist.

C. Review

1. The Art Curator is available by appointment to conduct reviews of art in consideration of scheduled shows.

2. The Art Curator will confer with the Librarian regarding schedules and selection of art.

3. When appropriate, the Library Board will act as final arbiter in decision-making with regard to any policies or procedures relevant to the display of art.

D. Scheduling and Selection

The Library reserves the right to select the theme, scope, and content of exhibits, which may vary depending on relevant library activities and calendar.

E Responsibilities

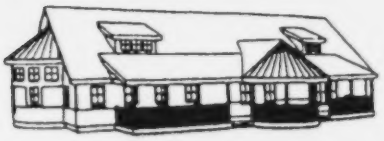
The Library is not responsible for theft or damage to the art outside of the scheduled display period, which includes the drop-off and pick-up times. The exhibiting artist must adhere to the agreed upon drop-off and pick-up times; the Library will not hold or store the art before or after these dates.

F. Release Form

A release form, to be signed by the library's authorized staff and the exhibiting artist, should state:

1. Number of pieces on exhibit
2. Value, determined by the artist
3. Exhibit period
4. Drop-off and pick-up times and dates
5. Responsibilities of the library and artist
6. Proceeds from sales go directly to the artist
7. Insurance coverage

Initially Adopted: March 4, 1998
Revised: September 5. 2000



SAMPLE

THE CHARLOTTE LIBRARY

P.O. BOX 120 • CHARLOTTE, VT • 05445 • (802) 425-3864

Received by the Charlotte Library on [date]

[# of works]

[description of works]

for display at The Charlotte Library through [exhibit end]

The Library is not responsible for theft or damage to the art outside of the scheduled display period, which includes the drop-off and pick-up times. The exhibiting artists must adhere to the agreed upon drop-off and pick-up times, as the Library will not hold/store the art before or after these dates.

The value of the works is determined by the artist, and all proceeds from sales go directly to the artist.

Artist : _____

Librarian : _____

BEST COPY AVAILABLE

VI. Exhibits and Displays

A. The Charlotte Library invites exhibits, displays, and/or the use of designated bulletin board space for the dissemination of information consistent with our mission.

B. Since the display area is limited, the Library reserves the right to allocate space in accordance with the following priorities:

1. Organizations representing Charlotte government;
2. Private not-for-profit entities approved by the Trustees;
3. Individuals and groups as well as for-profit entities approved by the Trustees.

C. Applicants are required to submit a letter to the Librarian that identifies the applicant, describes the display or exhibit, and clearly states the purpose it is intended to serve. The Librarian will review the display and/or materials prior to their exhibition.

D. The size of the display and the period of exhibit will be determined on a case-by-case basis by the Trustees. The exhibitor will remove the exhibit or display promptly at the end of the exhibition period. The Library is not responsible for theft or damage at any time, or for the storage of materials following the close of the exhibit.

Initially Adopted: June 2, 1998
Revised: March 7, 2000

VII: Friends of the Charlotte Library and Other Advocacy Groups

The Board of Trustees welcomes the commitment and energy of advocacy groups, such as the Friends of the Charlotte Library, which support the mission of the Library.

Such groups will work in cooperation with the Board, which by statute bears the responsibility for the management of the library.

Initially Adopted: September 5, 2000

VIII. Review and Revision of Policies

These policies shall be reviewed regularly by the Board and revised as circumstances require. Revisions shall be noted by date following each section.

The **first set of policies were adopted** by the Charlotte Community Library Board of Trustees on **April 5, 1989.** Subsequent additions and revisions will be noted at the conclusion of the relevant policy section. All policy additions and revisions will be adopted by a majority vote at a duly convened meeting of the Library Board of Trustees.

Revised: September 5, 2000

Derby Line

General Policy
Haskell Free Library

I. **Goals and Priorities**

A. To provide and maintain a collection of material that will meet the educational, informational, cultural, and recreational needs of all in the community.

B. To serve the community as a center of reliable information. Since the community served is international and bilingual, both American and Canadian needs will be considered, as well as those of the French speaking people in the area. We shall endeavor to maintain approximately 25% of our collection for french materials.

C. To seek to identify community needs, to provide programs of service to meet the their needs, and to cooperate with other organizations, agencies, and institutions which can provide programs or services to meet community needs.

D. To provide equal opportunity and encouragement for continuing education and self realization for all members of the community of all ages.

E. The library shall endeavor to meet the Standards set by the Vermont Department of Libraries.

II. **GENERAL OPERATION OF THE LIBRARY**

A. The Library will serve all residents of the community free of charge. Service will not be denied or abridged because of religious, racial, social, economic, or political status.

The use of the Library or its services may be denied for due cause. Such cause may be failure to return books, failure to pay penalties, destruction of library materials, disturbance of other patrons, or any other objectionable conduct on library premises.

B. It is the policy of the Haskell Free Library to encourage the return of borrowed materials by a per diem overdue charge of 2 cents per book. Patrons are expected to return borrowed materials on time. Borrowing privileges may be curtailed if books are not returned on the date due. Notice will be given patrons having overdue books. After two overdue notices the patron is billed for the book reported lost or not returned. Borrowing privileges are withdrawn if the bill is not paid.

The policy for lost books applies to other library materials, i.e. tapes, periodicals, pamphlets, recorded books or videos. The procedure for lost books is followed for a book that is returned in a condition that makes it unusable.

First time borrowers will be allowed two books from the Haskell Free Library. Alternate arrangements may be made at the discretion of the librarian.

C. The Library staff will provide guidance and assistance for people seeking information in a friendly and courteous manner.

D. The Board of Trustees recognizes that no single library can meet all the demands of its community and therefore the librarian shall be aware of opportunities to cooperate with other libraries thereby augmenting the resources and services of the library.

E. The Library will help secure information beyond its own resources by borrowing for patrons with serious interests materials which are not owned by the Library and which cannot be purchased or materials for which the demand does not exist.

Inter-library loans are available for patrons when materials are not available in the Haskell Library. Patrons of the Haskell Free Library have priority use of our materials. Our expectation is that there will be two staff people trained to do ILL.

F. The Library will endeavor to maintain a balance in its services to men, women, young people and children. The public library will cooperate with, but cannot perform the functions of, school or other institutional libraries which are designed to meet curricular needs.

G. The Library will strive to initiate programs, exhibits, etc. to stimulate the use of the library materials by people of all ages in accordance with our Annual Plan submitted at our Annual Meeting.

H. Periodic review will be made of library services to determine whether or not the needs to the community indicate that certain present services should be discontinued and/or other services should be added.

I. The reading room is available to non-profit groups for the purpose of education, information, or recreation. The Executive Director must give his or her approval prior to use of the room. Groups may NOT use the room when the library is open to the public. A fee to be determined on a yearly basis may be charged to contribute to fuel, electricity and custodian services.

The Library can not be used for the following purposes: political advertising by political parties or candidates, cash donation boxes of any sort (other than our own), sales of any commercial products except for non-profit purposes specifically authorized by a representative of the Board.

J. The Library will be open at least 38 hours a week including some morning, evening and weekend hours as set forth in our Use Policy.

K. The Library closes for the following:
Christmas Eve at 3 p.m.
Christmas Day
Boxing Day
New Year's Day
Easter Saturday
St. Jean Baptist Day
July 1 and 4
American Thanksgiving

L. We do not identify the names of library users with any specific material. To ensure the relationship with our users is strictly confidential a numerical identification system is used. Nothing shall be made available to any agency of the government, whether State, Provincial, Federal or Local unless we are compelled to do so under due process of the law, and we will resist such an encroachment of the Library's powers until a ruling has been made in a court of competent jurisdiction.

III. LIBRARY MATERIALS

A. The Library subscribes to the Library Bill of Rights which states in part:
As a responsibility of library services, books and other materials selected should be chosen for values of interest, information, and enlightenment of all the people of the community. In no case should any book be excluded because of the race or nationality or the political or religious views of the writer.

There should be the fullest practicable provision of material presenting all points of view concerning the issues of our times—international, national or local; and books or other reading matter of sound factual authority should not be proscribed or removed from library shelves because of partisan or doctrinal disapproval.

Censorship of books, urged or practiced by volunteer arbiters of moral or political opinion or by organizations which would establish a coercive concept of Americanism, must be challenged by libraries in maintenance of their responsibility to provide public information and enlightenment through the recorded word."

The Haskell Free Library also subscribes to the Freedom To Read Statement, the Freedom to View Statement, (Appended. See Exhibits A and B) and to the objectives of the Canadian Library Association which are as follows:

a) *to promote education, science and culture within the nation through library service.*
b) *to promote high standards of librarianship and the welfare of librarians*
c) *to cooperate with library associations both within and outside of Canada and with other organizations interested in promotion of education, science, and culture.*

B. While suggestions are welcome, the final responsibility for the selection of materials lies with the librarian. This will be done with professional reviewing materials to attain the objectives stated above. This will necessitate consideration of the present and future needs of people of all ages, backgrounds and tastes. It is recognized that many books are controversial and may offend some patrons. However, selection will be made solely on the merits of the work in relation to building the collection and serving the interests of the borrowers. Children's materials will be selected by the children's librarian using the methods stated above. Responsibility for what books children read lies with their parents or legal guardians. Selection of materials will not be inhibited by the possibility that material that individual parents might consider inappropriate may inadvertently come into the possession of children.

Due to lack of space and economics it is generally felt that duplication of materials is not practical except in extreme circumstances. Paperbacks provide a source of ephemeral or experimental material.

C. In the selection of materials the librarian will keep in mind any special interests within the community, especially local history, and will attempt to keep as broad a selection as possible on these subjects. In keeping with the concept of a public library, the only technical books acquired will be those considered useful to the layman. Schools will have access to library materials but the librarian will not acquire textbooks or other curriculum

related materials unless they will be of general interest to the public. The Library shall strive to allot 25% of its book budget for purchasing children's materials.

D. The Haskell Free Library always welcomes gifts of money or new or used books. Gifts of material which are not in accordance with the Library's objectives and policies will no be accepted. It is the right of the librarian to evaluate and dispose of the material in accordance with the criteria applied to purchased materials. No conditions may be imposed relating to any gifts after its acceptance by the library. The librarian should be able to provide suggestions of books compatible with the Library's objectives so that those who wish to make memorial gifts may choose a suitable title as a suitable price.

E. Most materials, except reference books and those which are in special demand and cannot be duplicated including rare and fragile items, will be sent for home use for a period of two weeks, renewable for another two weeks with the consent of the librarian on duty at the desk.

Videos are loaned for the period of one week. Late charges are $1 per day per film up to a maximum of $5. There is a limit of three videos per family. Children under 14 need parental consent to borrow videos.

Reserved books that are in big demand will be held for only 3 days after which time the book will be passed on to the next person on the waiting list.

F. Materials which are no longer useful in the light of the stated objectives of the Library will be systematically removed from the collection by the librarian according to professional practices and using the appropriate tools such as the Public Library Catalog and the Fiction Catalog. Books in poor condition will also be removed and discarded, rebound or replaced depending on the costs involved and their importance to the collection.

G. If a patron objects to a specific book in the collection she or he will be given the opportunity to fill out the "Request for Reconsideration of a Book" form. (Appended. See Exhibit C) A reader's complaint will be treated with courtesy, respect and promptness.

IV. PERSONNEL PRACTICES

A. The Librarian (being on salary) shall receive full pay when necessary to travel on library business. She shall be compensated fully for any legitimate traveling expenses. The same applies to other staff when on library business.

B. The Library shall pay the Librarian's dues to the Vermont Library Association, etc.

C. Job descriptions should be available for all employees of the Haskell Free Library. Employees shall be evaluated in writing once a year.

D. Volunteers must possess qualities to fit the nature of the task. The Librarian shall decide which volunteers will be accepted.

V. POLICY REVISION

The Library policies should be reviewed once a year by the Library Board of Trustees and may be revised by the Trustees as time and circumstances require.

Adopted at Derby Line, Vt. / Stanstead, Que. December 10, 2001.

THE HASKELL FREE LIBRARY BOARD OF TRUSTEES

Patricia Walsh, President

David Lepitre, Vice President

Keith Beadle

Donald Buschman

Lois Wolfe

Adele Beasse

Merrill Grenier

Kim Prangley, Director.

BEST COPY AVAILABLE

Haskell Free Library
Child Safety Policy

The staff of the Haskell Free Library welcomes children of all ages to use the library. Special programs, clubs, performances and story times are some of the ways we reach out to young people with the hope that they will grow to love books and enjoy libraries throughout their lives. The following policy is in place to protect the children who enjoy the library, to provide for the general welfare of the library patrons and, to prevent undue disruption of normal library procedures.

Parents are always responsible for the well-being and safety of their children. When a child is unattended at the library, parents need to remember that the library and its staff can not take responsibility for the care and behavior of each individual child. The staff is not responsible for the whereabouts of a child at any given time whether inside the library or out. Children under the age of six must be accompanied by a responsible person at all times.

Adopted in Derby Line, Vt. / Stanstead, Que. this 10th day of December, 2001.

The Haskell Board of Trustees

Patricia Walsh, President

David Lepitre, Vice President

Donald Buschman, Treasurer

Keith Beadle

Lois Wolfe

Adele Beasse

Merrill Grenier

Kim Prangley, Executive Director.

BEST COPY AVAILABLE

Haskell Free Library
Public Access Computer Policy

Introduction: The Haskell Free Library is committed to providing its patrons with the best materials possible for seeking information. The Haskell Library supports the basic principles governing information freedom and access as outlined in the American Library Association's *Library Bill of Rights*. The Library and its patrons must observe all applicable local, state, provincial, and federal law governing information access. In order to ensure fair use of the computer technology now available at the Library, patrons are asked to observe the following guidelines:

General Use:

1. Users must first register at the front desk.
2. Only one person at a time may use the computer.
3. Children under the age of 14 need written parental consent to use the Internet. (forms available at the front desk.)
4. Computers will be turned on and off by Library staff only.
5. You may reserve time on the computer for the current week only. Users are allowed half an hour of use, and an additional half hour if no one else has signed up. Users more than ten minutes late will forfeit their reservation.
6. Patrons must not upload or download executable programs or data files on the hard drive of any Library computer.
7. New diskettes are available for $1 at the front desk. Diskettes brought into the library MAY NOT be used.
8. Any application used by a patron must be properly exited after upon completion.
9. Patrons must not illegally copy any data.
10. Absolutely no eating (which includes gum chewing) or drinking in the area of the computer.

Charges:

1. Any damage to the computers or their peripherals by any patron will be charged to that patron.
2. The first three pages printed are free; there is a charge of 10 cents per page for anything printed after this. These charges help offset the considerable cost of ink and paper. Please check the length of your document before printing it. Please get paper from the librarian at the circulation desk.

Privacy:

1. The Haskell Free Library is committed to the privacy of its patrons. However, users should be aware that use of the Internet, at this time, cannot be considered secure, and that some of the applications may save temporary copies of data to the hard disk. Patrons should therefore not assume that others will not be able to retrieve their work, and should take appropriate care.
2. In general, the Library will treat information stored on computers as confidential. Exceptions to this rule will only be honored when required by local, state, provincial or federal law, or when approved by the Library administrator. In certain cases, the Library Board of Trustees may provide final approval.
3. As these computers are in a public area, be aware that screen will be visible to other patrons. Please do not download graphics which might be likely to give offense.

Children:

1. All patrons of the Haskell Free Library, regardless of age, have equal access to the information provided by the Library. However, our experience has been that very young children benefit from using the computer with a parent or older sibling to guide them.
2. The Haskell Free Library's policy on the use of computers and access to the Internet is the same as for borrowing other library materials: parents and guardians of children are responsible for the appropriate use by children of the Library facilities, and the Library assumes no responsibility for supervising children who are minors.

Sanctions:

Users who contravene these rules, or other rules of the Library may have their privileges revoked. If you are unsure whether your use of the computer facilities might conflict with these rules please ask a Librarian.

Adopted at Derby Line, Vermont and Stanstead, Que. December 10, 2001.

THE HASKELL FREE LIBRARY BOARD OF TRUSTEES

Patrician Walsh, President

David Lepitre, Vice President

Keith Beadle

Donald Buschman

Lois Wolfe

Adele Beasse

Mérrill Grenier

Kim Prangley, Director.

BEST COPY AVAILABLE

Killington

Sherburne Memorial Library

I. *Service Policy*

Mission Statement:

The Sherburne Memorial Library is a free service to all people, committed to providing current and significant resources to nourish the essence of the mind. Recognizing literacy as the seed of personal growth, the library opens doors to the world of information and reading of all ages.

The Library is a municipal institution. It provides the community the opportunity to learn, grow and acquire knowledge independently via a diverse collection of materials in various formats. The library serves as the community's link to the information superhighway as well as community meeting center. The library is the only town funded educational institution that serves the youngest to the oldest citizens.

The focus of library service is on the preschool years promoting reading readiness, and adult independent learning and recreational reading.

The library strives to provide a cur ent collection, exciting and innovative programs, access to the information superhighway through direct on-line access and provide resources for patrons to learn independently.

II. *General operation of the library*

A. The library is open to all people free of charge. Service will not be denied because of age, religion, race, sex, social, economic or political status.

B. The library is open 37 hours per week. The library observes all Federal holidays. In addition, the library is closed Thanksgiving weekend and at the discretion of the Librarian and the Board.

C. The library shall charge limited fines during the heaviest usage time of the year, primarily July and August and only for best selling fiction. This shall be done to enhance access for the rest of the library's borrowers. There are no other overdue fines, but patrons are encouraged to make donations to the conscience fund.

D. The library charges for the use of the copy machine.

E. A 5 member Board of Trustees duly elected at Town Meeting on a rotating basis governs the library. As dictated by the Vermont Statues, the Trustees are responsible for all areas of the library. The Trustees will submit an annual budget to the Selectmen through the Town Manager. Following Town approval, the Board of Trustees will manage those monies in the Town's General Fund. The Board of Trustees has final authority on all matters of policy.

F. The use of the library or its services may be abridged or denied by the Librarian for due cause. Such cause may be failure to return books, destruction of library property, disturbance or harassment of other patrons or any objectionable conduct on library premises.

G. The Trustees hire a Library Director to carry out policy and the operation of the library. The Library Director is responsible for staffing and supervision of the library.

H. The Librarians and the Board of Trustees shall cooperate with schools, community organizations, and other libraries to strengthen the services and resources of the library.

I. In accordance with *Bulletin Board Policy* announcements of programs open to the public may be displayed in the library with the permission of the Library Director.

J. Hobby, craft, and art exhibits shall be encouraged but displayed at owner's risk; owners are required to sign a release for this purpose.

K. In accordance with *Meeting Room Policy*, area non-profit organizations may use the library for meetings or programs with permission of the Director as long as they do not interfere with library operations.

L. Amendments to these policies may be proposed at any Library Board meeting, made known to any member not present, and voted on by a majority at the next meeting of the Board of Trustees.

M. Library policies will be reviewed annually.

October 1995
Revised January 2001

Sherburne Memorial Library Materials Selection Policy

PHILOSOPHY

The Sherburne Memorial Library recognizes, as it..plied by the First Amendment to the Constitution, that free, equal access to the marketplace of ideas is a prerequisite for a thriving democratic society. Current and significant materials are available to *the* entire community. Only by representing the widest diversity of views and expressions can the library remain neutral.

OBJECTIVES OF SELECTION

- To provide materials and information in a variety of formats that entertain, inform and enlighten all people of the community.
- To provide materials and information presenting *the* current issues and problems of our times, representing opposing sides of controversial issues so citizens can make informed decisions.
- To provide a wide spectrum of ideas cultures and philosophies which expose patrons to the larger world community without prejudice?
- To provide materials appropriate for all ages and reading levels to achieve full literacy.
- To provide the community's youngest members with free equal access to the world of learning through materials to he'p them understand the world they live in.
- To provide all patrons with a rich variety of literature to foster a life long love of reading.
- To ensure the inherent rights of free speech and expression by providing free access to materials that have been proscribed or removed by other libraries and booksellers due to partisan or doctrinal disapproval.

RESPONSBILITY FOR SELECTION

The elected Library Board shall delegate to Library Director the authority and responsibility for selection of all print and non-print materials. Responsibilities for Actual selection shall rest with appropriate professionally trained personnel who discharge the obligation consistent with the Board's adopted selection criteria and procedures.

CRITERIA FOR SELECTION

Materials considered for the collection are judged by weighing faults against virtues for each item, and are selected because of the content and value of each work as a whole. First consideration is given to the needs implied by the stated objectives and the existing collection. The overall purpose of the material is the deciding factor when adding any title. Materials for the library are considered based on:

- Overall purpose
- Timeliness or permanence
- Importance of subject matter
- Readability and popular appeal such as best sellers
- Artistic and literary excellence
- Reputation of the author, publisher, artist
- Format
- Price

Technical materials are considered based on quality such as sound, clarity of narration, clarity of picture.

SELECTION
In selecting materials the professional staff evaluates the existing collection and considers recommendations for the following sources. Professional selections aids including. Public Library Catalog, Children's catalog, bo k reviews and journals
including but not limited to. Booklist, Hornbook, Library Journal, Publishers weekly. New York Times Book Review. Bibliographies and reco .mended lists. Materials review sessions sponsored by the Department of Libraries and Vermont Library Association. Specific title requests from the community.

Gifts will be accepted when offered on an unrestricted basis. The library director will add items that meet the selection criteria for the collection and dispose of unwanted items as deemed best.

COLLECTION MAINTENANCE
The Board of Trustees recognizes that the collection must be active to serve the needs of the community. The Criteria for Selection applies tot he systematic removal or replacement of materials.

POLICY ON CONTROVERSIAL MATERIALS
The public library is the embodiment of the principles of intellectual freedom that is the bulwark of the First Amendment protecting free expression of ideas.

> *"Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or the press; or the right of the people to peaceably assemble, and to petition the govern ent for a redress of grievances. "*

The Sherburne Memorial Library incorporates into its policy the interpretations as stated in the ALA INTELLECTUAL FREEDOM MANUAL on library philosophy as expressed in the Library Bill of Rights, Freedom to Read, Policy on Confidentiality of Library Records copies of which are appended to and made an integral part of this policy.

Children have free access to all library materials. The library does not operate ***in loco parentis***. It is the parents and/or guardians responsibility to determine what their children and only their children may read. The library staff may not be used as instruments for censorship by restricting access in any way.

CHALLENGED MATERIALS
Occasional objections regarding materials may occur despite the care taken to select materials. The Board of Trustees support the principles of intellectual freedom. The established procedure listed below will follow an individual's or group's request for reconsideration of materials.

- All complaints shall be informed of the selection policy and referred to the director The Library Director will discus. th e selection policy and procedure with the complainant without commitment. If the complainant is not satisfied:
- The complainant will be invited to file his/her objections in writing and given the "Request for Reconsideration of materials" (attached). Only written

complaints will receive further consideration. This is to assure clarity of the nature of the complaint.

- The challenged materials will remain on the shelves and in circulation during the reconsideration process.
- The Library Director will inform the Board of Trustees
- After receiving a formal written complaint, the director will review the challenged material and make a recommendation to the library board within 5 (five) working days.
- The Librarian and/or the Board may request the appointment of an ad hoc committee to review the challenged material within 15 working days.
- The appointment of the committee is the responsibility of the Board of Trustees.
- The review committee shall take the following steps after receiving the challenged material:
  A. Reads, views or listens to the materials in its entirety.
  B. Checks general acceptance of the material by reading reviews and consulting recommended lists.
  C. Determines the value of the materials to the library, vis- a-vis the adopted policy and judging it for its strength as a whole and not in part.
- The written recommendation is submitted to the library board within 10 days.
- The Board shall act upon the recommendation at the next regularly scheduled meeting.
- The complainant shall be notified in writing by the Library Director of the Boards decision.
- The complainant may request an appeal within 30 days of notification that will be heard at an open meeting in accordance with Open Meeting Law.
- The library board will announce its decision concerning the appeal at its next regularly scheduled meeting.

Adopted 12/93, Revised 12/94, Revised 2/01

SML PATRON REQUEST FOR RECONSIDERATION OF WORK

TYPE OF MATERIAL (Please circle one):
Book Video Magazine Audio Cassette CD Software Electronic
Other (please specify) _____

TITLE: _____

AUTHOR _____

PUBLISHER: _____

REQUEST INITIATED BY:
NAME _____

TELEPHONE _____

ADDRESS _____

Complainant represents: (check one)

☐ Himself/herself

☐ Organization (Name) _____

☐ Other (please specify) _____

Use back of page or attach additional pages as needed to answer the following questions.

1. What do you object to in the work? Please be specific: cite pages, passages, etc
   _____
2. What of value is there in this work? _____
3. What do you feel might be the result of reading/ viewing/listening to this work?
   _____
4. For what age group would you recommend this work?_____
5. Did you read/listen to/view the entire works? _____
6. Are you aware of the judgement of this work by critics? _____
7. What do you believe is the theme or purpose of this work? _____
   _____
8. What would you prefer the library do about this work? _____
   _____
9. What work do you believe should be added to counterbalance the viewpoint? expressed in this work? _____
   _____

Sherburne Memorial Library
Confidentiality Policy

In recognizing the library's special trust with members of the public, the Trustees of the Sherburne Memorial Library wish to clarify their policy and responsibility with regard to confidential information about patrons (and patrons use of library resources) that comes into the library's possession.

The choice of books and other library materials, along with the use of informational resources of the library is essentially a private endeavor on the part of each individual patron. The library shall make every reasonable and responsible effort to see that information about that patron and his/her choices remains confidential.

For people to make full and effective use of library resources they must feel unconstrained by the possibility that others may become aware of the books they read, the materials they use, and the questions they ask. The awareness of existence of such a possibility inhibits free usage of the library, its resources and facilities. It is contrary to the Sherburne Memorial Library Bill of Rights, The Freedom to Read Statement and other policies adopted by Sherburne Memorial Library.

Therefore, the Trustees of the Sherburne Memorial Library have adopted the following guidelines concerning the disclosure of information about patrons in accordance with I V.S.A. Sec 19(b)(19):

No information regarding or including:

- A patron's name (or whether a patron is a registered borrower or has been a patron).
- A patron's address.
- A patron's telephone number.
- The library's circulation records and their contents.
- The library's borrower records and their contents.
- The number or character of questions asked by a patron.
- The frequency or content of a patron's lawful visits to the library or any other information supplied to the library (or gathered by it) shall be given, made available or disclosed to any individual, corporation, institution, or government agency with a valid process order or subpoena.

Under presentation of such process order or subpoena, the library shall resist its enforcement until such a time as proper showing good cause has been made in a court of competent jurisdiction.

Sherburne Memorial Library

Bulletin Boards

POLICY:

The bulletin boards are available for the display of posters and notices.

RULES:

1. Material displayed is restricted to announcements of:
   - Library-related programs and services.
   - Cultural events of community-wide interest with local community events taking precedence when space is limited.
   - Non-commercial events of community-wide interest and available to the general public.
   - Items in general support of community service organizations.
2. In general, announcements devoted primarily to fund-raising are not acceptable.
3. Size and appearance of material is taken into consideration.
4. All requests for use must be submitted to the Director and may be subject to approval by the Library Board of Trustees.

Adopted 10/27/99

Sherburne Memorial Library Public Access Guidelines

A. Introduction

The Sherburne Memorial Library (SML) has established these Operating Guidelines to make your use of Library networked services and electronic communications positive and secure. By your continued use of this service, you agree to be bound by these rules.

B. Content and Uses of the Service

Since the Internet is a global electronic network, the SML has no control of its users or content. The Internet and its available resources may contain material of a controversial nature. The Library will not censor access to material nor protect users from offensive information and is not responsible for the availability or accuracy of information accessed from remote network sites. Parents of minor children must assume responsibility for their children's use of the Internet through the Library's connection. Users agree to supervise the use of the Internet by minors in their care.

Users agree not to publish on or over the Service any information, software, or other content which violates or infringes upon the rights of any other person or which would be abusive, offensive, or libelous to the average person. Users agree not to use the facilities and capabilities of the Service to conduct any business or activity for financial gain, or to solicit any activity which is in violation of the law or SML policy.

Users agree to not incur any costs to the SML through access to fee-for-service information providers.

Users of networks or facilities not owned by the Library will adhere to the policies and procedures established by the administrators of all such networks and facilities. Users of the Library computing resources must follow the guidelines of each of the networks traversed.

C. Copyrighted Material

Users may not use the service to upload, transmit or post copyrighted or otherwise protected material and/or software to the Internet without the permission of the owner(s) or person(s) owning the copyright or other intellectual property rights in the transmitted materials.

Downloading from the Internet copyrighted or otherwise protected material must be done with the express permission of the owner(s) or otherwise authorized person(s) regarding copying, redistribution, modification, or publication. The Library is not responsible for any software or shareware fees incurred through the downloading of software. Users may not use the identity of the Sherburne Memorial Library as an educational institution to download software designated "for educational use only" for personal use.

Software registered to the SML is not intended for personal use and copies of the applications may not be made for home use. Doing so is a violation of US copyright laws and the Library's licensing agreement with software publishers. Access to SML electronic services will be terminated for such a violation.

D. Termination of Access

The Sherburne Memorial Library reserves the right to suspend or terminate your access to the Internet or other network services without prior notice at anytime and for any reason. Violations of the law, such as destruction or damage to equipment, software, or data belonging to the Library or other users will be dealt with in a serious and appropriate manner. Illegal acts involving Library computing resources may also be subject to prosecution by local, state, or federal authorities.

E. Unauthorized Access and Hacking

Unauthorized access to the SML Service through its server(s) is strictly prohibited. Users will not engage in any such activity or attempt to access the Service for the purpose of altering or manipulating the hardware or software (hacking).

F. Hard Drive Space Not Available

Files or documents may only be saved to a formatted diskette that is available at the circulation desk. This is strictly the user's responsibility and the Library takes no responsibility for any loss of data incurred.

G. Use of Library Consumable Resources

The Library reserves the right to limit the use of its resources to the public. Such limitations may include, but are not limited to: restricting time on computers; limiting the applications or functions use on Library computers; requiring that patrons use library-provided diskettes for saving files; and, charging a nominal fee for the use of certain consumable supplies such as paper and diskettes.

H. Privacy

In general, the Library will treat information displayed on its computers and/or printers as confidential. Requests for disclosure of information will be honored when required by local, state, or federal law when required by Library policy.

Sherburne Memorial Library

MEETING ROOM POLICY

The Sherburne Memorial Library offers a meeting room for community use when it is not scheduled for library or Town of Killington activities. This room is available for groups or organizations for civic, cultural, informational or recreational programs which are open to the public and free of charge. The meeting room is not available for: social, political, partisan or religious purposes; the benefit of private individuals; commercial purposes; or permanent office space. Except for library groups, meetings for the exclusive purpose of fund raising are prohibited.

Attendance is limited to 60 individuals for the meeting room. All meetings must be open to the public and no attendance or entry fee may be charged. Although there is no charge for meeting room we encourage donations..

Use of the meeting rooms is by reservation only. An application form for each use of the room must be signed by a representative of the organization at least a week in advance of the meeting. Reservations may be made up to six months in advance. Reservations will be accepted on a first-come/first-served basis, as long as the use conforms to library policy guidelines.

All groups are required to leave the meeting area in a neat, clean, and orderly condition. This is not the responsibility of the library. A vacuum cleaner is available. If the room is not left in a clean and orderly condition, the organization will not be allowed to use the meeting room in the future.

The library has tables and chairs available for use. All groups are responsible for setting up these tables and chairs for their own use, and for returning them to storage. The library will not provide storage space for groups using the facilities.

Groups are responsible for paying for any breakage, damage to library property, or any inordinate amount of cleaning resulting from the use of the meeting room.

Smoking is prohibited by state law

Refreshments are allowed in the meeting. There are kitchen facilities. Catered events are acceptable but arrangements are to be made between the individuals or groups using the room and the caterers; the library will not serve as refreshment brokers. When a meal is included in the meeting or activity, a charge may be made to recover expenses, so long as the charge is optional and relates only to the meal and not attendance.

Use of the library's meeting rooms does not imply endorsement of the event or its sponsor by the Sherburne Memorial Library. Furthermore no announcement, press release, flyer or other promotional endeavor should state or imply Sherburne Memorial Library's endorsement or sponsorship of the event or its sponsor. Such promotional endeavors should clearly state that the library is merely the location of the meeting. Groups may not use the library's name or address as their own address or headquarters.

Adopted 2/01

Sherburne Memorial Library MEETING ROOM RESERVATION FORM

Date of Program:_____ Booked:_____

Please CALL (802) 422-9765 to check availability before mailing this Form.

Please print this form, fill it out, sign it and return it to:

Director
Sherburne Memorial Library
PO Box 73
Killington, Vt 05751

Name of Organization:

_____

Title of Program:

_____

Date(s) Requested:_____
Hour(s)_____to_____

Expected Attendance:_____

Equipment
Needs:

__Folding Tables, Large__1 __2 __3 __4 __5__6

__Video Cassette Player & Monitor
__ Easel
__Podium
__Film Projector (16 mm)
__Coffeepot(s

NOTE: Groups are responsible for set up of requested equipment including chairs, tables and coffeepots; however, the library will set up AV equipment.

I, the undersigned, having read the policy and regulations governing the meeting room(s), accept the responsibilities stated therein.

Applicant's Signature:_____Date_____

Applicant's Name (please print):_____
Address:_____
_____

Telephone:_____

Windsor Public Library
Library Policies

Library Policies

The Mission Statement of the Windsor Public Library:

The Windsor Public Library encourages the participation of community members of all ages in both the individual and collective pursuit of knowledge, enrichment, and enjoyment through books, timely information, programs, public gatherings, and events.

To attain the goals of this mission, the following policies are in effect:

1. Standards

The Windsor Public Library will meet the Vermont State minimum standards for such a library.

2. Borrowers

Permanent residents of the community may register as borrowers without charge. Non-Windsor residents will be charged a yearly fee of $8 per individual, $20 per family, or $40 per institution per year.

3. Hours

The library will be open at times that reflect the needs of the community, including some hours during the evening or weekend.

4. Privileges

All patrons are encouraged to participate in library programs, borrow books, request interlibrary loan service when required, and ask for staff assistance.

Computerized catalog and Internet access will be provided at the discretion of the librarian. Since it is a rapidly changing and developing service, availability will evolve to achieve a balance among conflicting demands upon computer time, such as administrative tasks, ILLs, and public access. Other considerations will include staff training, funding, and the acquisition of related technology and equipment.

Service and loan privileges will be denied only for due cause as determined by the librarian. For example, "due cause" may include a misuse of library materials or the building; negligence in returning library materials when due; failure to make proper restitution for lost materials; unruly, disruptive, or inappropriate behavior.

5. Limitations

The library will not be used for the following purposes:

> Political advertising, by party or candidate; cash donation boxes of any sort (other than the library's own "conscience box"); sale of commercial products, except for charitable purposes specifically authorized by the librarian and trustees; signing of petitions.

6. Library Bill of Rights

The Windsor Public Library endorses the Library Bill of Rights and Freedom to Read Statement, herein attached as appendices.

7. Selection Policy of the Library

The Board of Trustees has adopted the following Selection Policy along with the ALA "Library Bill of Rights," and its "Freedom to Read" statement. The authority for the selection of specific materials rests with the librarian, within the framework of these policies.

The librarian utilizes his or her professional judgment and expertise, enhanced by an understanding of our community needs, from the pre-school child through adult. For the process, he or she will use authoritative professional reviews, standard lists of basic works, and recommendations from professional journals. The public may also recommend materials which will receive careful consideration in terms of overall objectives and the existing book collection.

Regarding the selection and/or withdrawal of library materials, the librarian will consider the above-mentioned functions of our library, the overall needs of the community, and the possible budgetary restrictions. The librarian may borrow requested materials that are beyond the scope of our collection through the DOLCAT system of the Vermont Department of Libraries.

All materials acquired should meet high standards of quality in content, expression, and form.

Evaluative factors are: factual accuracy and authoritativeness, effective expression, significance of subject, sincerity and responsibility of opinion, current usefulness, interest, and permanent value. Relevance to the reading public and to the existing collection is very important.

Each work shall be appraised as a creative unified whole with consideration given to the

total purpose of the items. Works which do not meet all of the standards, but are of great interest, may be purchased to meet a strong, though temporary, need.

The form of materials (books, periodicals, video cassettes, pamphlets, tapes, films, recordings, maps, pictures, etc.) should be appropriate to the content and use. The physical condition of the medium and the quality of its technical production must be evaluated.

The criteria used in selection will apply to the systematic removal or replacement of materials. Each withdrawal or replacement should be judged individually with reference to standard library tools and catalogs, and the existing collection as a whole. Special collections will be an exception, i.e., Vermont authors. The librarian will dispose of withdrawn materials at his or her discretion.

Areas of Special Concern

Works of fiction should meet the literary standards of the period in which they were written. The language and style should be suitable to the content and author's purpose. Current novels which might be considered experimental in nature, objectionable or sensational by some members of the community should nevertheless be included in the collection, if they meet the general criteria.

Textbooks are not generally purchased, except in cases when suitable material is not readily available in other forms. The public library collection should serve as a complement to the resources already available to students and should enrich their resources for personal interest or individual projects.

The library does not attempt to develop a comprehensive research collection in any one field, with the exception of local history. The library does not provide facilities specific to the preservation of historic materials.

Books of a highly technical or specialized nature are inappropriate to the general needs of the library community. Selections in the area of law, medicine, and related subjects are restricted to those of interest to laymen.

An attempt is made to acquire authoritative material representing all points of view and all sides of controversial issues. The library does not promote particular beliefs or views, but instead presents quality materials containing opposing views for examination by the public. The presence of an item in the library does not indicate endorsement of its content by the library.

The libary will resist efforts to force inclusion of proselytizing works representing political, economic, moral, religious, or other vested positions when these materials do not conform to the selection policies.

In no case should any material be excluded from the collection because of the race or nationality, or the political or religious views of the author.

The trustees of the Windsor Public Library affirm the confidentiality of library materials borrowed or requested by any individual patron and will protect the confidentiality insofar as possible. Circulation records are likewise protected.

8. Procedures for Patron's Complaint on Selections

A reader's complaint is to be treated with courtesy, respect, and promptness. He or she is asked to complete a Book Reconsideration Form, which is to be submitted to the Board of Trustees. The Board and the librarian will then reexamine the book, and answer the complaint with reasons cited from library policy statements.

9. Interlibrary Loan Policy

The librarian may loan books to other libraries in the state for use of their members without charge, subject to the rules and regulations of the Windsor Public Library. Such libraries shall be held responsible for the safe return of the books so loaned.

10. Censorship

Materials of the required quality, serving the purposes of the library, and relating to an existing need or interest, will not be removed from the collection because of pressure by groups of individuals expressing disapproval.

Children have free access to all library materials. It is deemed the responsbility of parents to determine what their children, an only *their own* children, may read. The selection of materials will not be restricted by the possibility that young people may obtain materials which their parents consider inappropriate.

In the event a library user wishes to protest the inclusion of a particular item in the collection, he or she must submit a written complaint (see item 8 above). This form should be completed in full and submitted to the librarian, who will refer it to the Board of Trustees with a recommendation for appropriate action.

11. Use of Library Materials

All members of the Windsor Public Library may borrow books for a period of two weeks, renewable for another two weeks with the consent of the librarian at the desk. Local educators may borrow books for classroom use for a month at the discretion of the librarian.

Videocassettes may be borrowed for a period of one week.

No one shall remove any library material for any purpose without the knowledge and consent of the librarian.

The books are the property of the Windsor Public Library and the library staff are the custodians of that property.

The librarian shall be in charge of ordering all library materials, in keeping with the allotment for the annual budget.

Lost Books

A patron is billed for a book reported lost or not returned. Service and loan privileges will be withdrawn if the bill is not paid.

Damaged Books

The procedure for lost books is followed for a book returned in a condition that makes it unusable.

The policy for lost books may be applied to other library materials, i.e., records, periodicals, videos, cassettes, pamphlets, etc.

Overdue Books

It is the policy of the Windsor Public Library to encourage the return of borrowed by books by "conscience box" donations.

Patrons are expected to return borrowed books on time.

Borrowing privileges may be curtailed if the books not returned within one month from the due date.

12. Acceptance of Gifts

The library itself is pleased to accept donations of books as well as money. The library will accept gifts with the understanding that the materials will be added to the library or its collection only when needed; if not added, the library has the right to disposal and may sell, give away, or discard the item(s) at its discretion.

The library cannot afford to integrate into the collection any material it would not buy, if money were available, and will screen gifts of periodicals, pamphlets, newspapers, books, audiovisual materials, etc., using the same selection policies as are used for purchase.

Memorial Books

Memorial books are accepted by the library. Patrons wishing to make such a gift should consult with the librarian before making a choice of book(s).

Exhibits

The library will not accept as a gift any item or objects if the condition of acceptance requires permanent exhibition of the item or object, or requires that the material be kept together as a separate physical entity. The library is not a museum and will rarely accept objects. Except for temporary exhibit purposes, the library will not accept storage responsibilities for historical documents or objects owned or controlled by groups or individuals.

Revised 12-8-93

Home

Windsor Public Library
Library Board Bylaws

Library Board Bylaws

Article I

Section 1. Name, Principal Office, and Place of Business. The name of this Corporation is the Windsor Public Library. It was incorporated by a special act of the Vermont Legislature, Laws of 1886, No. 144. It is the successor to the Windsor Library Association organized June 28, 1883. The principal office and place of business of the Corporation shall be 43 State Street, Windsor, Vermont.

Section 2. Fiscal Year. The fiscal year of the Corporation shall be the calendar year.

Article II - Members of the Corporation

Section 1. Election. There shall be no fewer than nine members of the Corporation. The chairman of the Board of Selectmen and the Treasurer of the Town of Windsor shall be members, ex officiis, of the Corporation. Once elected, Board of Trustee members shall also be members of the Corporation. Additional members may be elected at any Annual Meeting of the Corporation by a majority of the votes cast. Once elected, a member of the Corporation shall continue to serve as such until death, resignation, or dismissal. No fewer than six members shall be citizens of the Town of Windsor. If any member shall be absent from three successive Annual Meetings, such absence shall be considered an offer to resign from the Corporation, effective upon said resignation being accepted by a majority of the votes cast by the remaining Corporation members.

Section 2. Duties of the Members of the Corporation. The members of the Corporation shall conduct an Annual Meeting; shall elect Corporation members, members of the Board of Trustees, Auditors, and members of the Corporation Nominating Committee; shall amend the Bylaws of the Corporation as recommended by the Board of Trustees; shall add other officers as deemed necessary; shall act as liaison to the Library community; shall review the goals and objectives and annual reports of the Corporation, and shall transact such other business as may legally come before the Annual Meeting.

Section 3. Meeting of the Members of the Corporation. The Annual Meeting of the members of the Corporation shall be held at Windsor on the third Tuesday in January in each year at such hour and place as the Trustees may designate. Notice of the Annual Meeting shall be given by the Secretary for publication in one or more newspapers circulated in the County of Windsor for at least two weeks successively before such meeting; or by letter or post card, sent by first class mail, addressed to each member of the

Corporation and mailed at least seven days before such meeting; or by posting the same in the Library and one other public place in the Town of Windsor.

If from inadvertence or other cause, the Annual Meeting shall not be held as above provided, it shall be held at a subsequent time upon notice as above provided.

Special Meetings of the Corporation may be held, upon the written application of the President or any three members of the Board of Trustees or any five members of the Corporation directed to the Secretary, setting forth the objectives of the meeting, notice thereof being given in the same manner as that required for notification of Annual Meetings.

Five members of the Corporation shall constitute a quorum for the transaction of business at any Annual or Special Meeting. Action shall be taken by a majority of the votes cast.

Section 4. Nominating Committee. There shall be a Corporation Nominating Committee consisting of the President, ex-officio, and three other members of the Corporation to be elected for a term of three years by the Board of Trustees. The term of the elected members shall be arranged so that the term of one member expires each year. The Nominating Committee shall present nominations for members of the Corporation, Trustees, Auditors, and members of the Corporation Nominating Committee, and may establish such rules and procedures as it from time to time deems advisable. Any member of the Corporation may also present nominations at the Annual Meeting.

Section 5. Officers. The Officers of the Corporation shall also be the Officers of the Board of Trustees as provided for in Article IV.

Article III - Board of Trustees

Section 1. Quorum and Term. The Chairman of the Board of Selectmen and the Treasurer of the Town of Windsor shall be members, ex officiis, of the Board of Trustees. No fewer than seven or more than 11 other members of the Corporation shall be elected members of the Board. Three Trustees shall constitute a quorum. The full term of an elected Trustee shall run from the time of election and qualification for a period of three years until the third ensuing Annual Meeting and thereafter until their successor is elected and qualified. The terms of the elected Trustees shall be staggered so that the terms of one-third of the elected Trustees shall expire in each year. Trustees may be elected for terms less than three years if required to maintain staggered terms.

Section 2. Powers and Duties of Trustees. The Trustees shall have and may exercise all of the powers of the Corporation, except such as are conferred upon the members of the Corporation by law, and any other provisions of these Bylaws. It shall be the duty of the Board of Trustees to manage and control the business and affairs of the Corporation and to determine the compensation of the Officers and employees. The Board of Trustees may exercise any powers granted to the Corporation by amendment of existing law and they shall be responsible for the performance of any amendments thereto. They may make such further rules for their government as they deem proper and not inconsistent with the Bylaws.

Section 3. Committees. The Board of Trustees may, by affirmative action of the majority of the whole Board, designate one or more additional committees, each consisting of at least

one member of the Board of Trustees, and such other members as the Board shall determine. Each such committee may adopt its own rules of procedure and shall keep such minutes as the Trustees shall direct of its proceedings and report the same to the Board of Trustees.

Section 4. Vacancies. Any vacancy occurring in the Board of Trustees may be filled by a vote of a majority of the remaining Trustees, though less than a quorum of the whole Board. Trustees so appointed shall serve until the next Annual Meeting of the Corporation at which time a Trustee shall be elected to serve out the remainder of the term.

Section 5. Meetings of Trustees. A meeting of the Trustees shall be held following the final adjournment of the Annual Meeting of the members of the Corporation. Regular meetings of the Trustees shall be held at least quarterly at such time and place as the Trustees may designate. Special meetings of the Board of Trustees may be called by the President or the Secretary and shall be called upon petition of any three Trustees addressed to the Secretary. Notice of special meetings shall be given by the Secretary by personal contact or by first class mail addressed to each Trustee at his usual place of business or residence and deposited in a United States Post Office not less than five days before the time of the meeting. No separate notice shall be required for the meeting immediately following the Corporation Annual Meeting if it is held on the same day as the final adjournment of said meeting.

Attendance by a Trustee at a meeting shall constitute a waiver of notice, except where a Trustee attends a meeting for the express purpose of objecting to the transaction of any business because such meeting is not lawfully convened. Neither the business to be transacted at, nor the purposes of, any special meetings of the Board of Trustees need be specified in the notice, or waiver of notice, of such meeting.

Less than a quorum of the Trustees shall have the power to adjourn until a quorum shall be present. Action shall be taken by a majority of the votes cast.

Section 6. Attendance at Meetings. Trustees are expected to attend all Board meetings. If any Trustee shall be absent from three (3) successive Board meetings, such absence shall be considered an offer to resign from the Board, effective upon said resignation being accepted by a majority vote of the remaining Board members. Absences may be excused for good cause, subject to acceptance by a majority of the remaining Board members.

Article IV - Officers

Section 1. Number and Term. The Officers shall consist of the President, Vice President, Secretary, Treasurer, and such other Officers as may be appointed as above provided in Article II. They shall be elected for one-year terms.

Section 2. Election. The President shall appoint a Board Nominating Committee of at least three (3) Trustees at the Board meeting before the Annual Corporation Meeting. The Nominating Committee shall submit a slate of officers at the next meeting of the Board and an election will take place.

Section 3. Removal of Officers and Employees. Any Officer or employee, elected or appointed, may be removed with sufficient reason by a three-fourths vote of the remaining

members of the Board.

Section 4. Vacancies. Vacancies in any of the offices may be filled by the Board. Such appointees shall serve out the remainder of the term.

Section 5. President. The President shall conduct the management of the operations of the Corporation subject, however, to the control of the Board of Trustees. The President shall preside at all meetings of the members and of the Trustees. The President shall have such other powers and perform such other duties as are incidental to the office of President and as may be assigned to him/her by the Board of Trustees.

Section 6. Vice President. The Vice President shall have such powers and perform such duties as the Board of Trustees may prescribe or as the President may delegate to him/her. In the case of the absence of, or the inability of, the President to act, the Vice President shall temporarily act in the place of the President.

Section 7. Secretary. The Secretary shall keep a faithful record of the proceedings of all meetings of the Corporation and of the Board of Trustees. He/she shall give notice of all meetings of the Corporation and all meetings of the Trustees as herein provided. He/she shall be the custodian of the records and the seal of the Corporation. He/she shall make available minutes of the Annual Meeting to all Corporation members prior to the next Annual Meeting. He/she shall keep proper records of all members of the Corporation and their addresses. He/she shall have such other powers and perform such other duties as are incidental to the office of the Secretary and as may be assigned by the Board.

Section 8. Treasurer. The Treasurer shall have responsibility for the custody and safekeeping of all funds of the Corporation and shall have charge of their collection, receipt, and disbursement. He/she shall have responsibility for the custody and safekeeping of all securities. He/she shall receive and have authority to sign receipts for all monies paid and shall deposit the same in the name of and to the credit of the Corporation in such banks or depositories as the Board of Trustees shall appoint. He/she shall endorse for collection on behalf of the Corporation all checks, drafts, notes, and other obligations payable to the Corporation and shall disburse funds only in such manner as the Board of Trustees may require. He/she shall sign or countersign all notes, endorsements, guaranties, and acceptances when and as directed by the Board of Trustees. He/she shall keep full and accurate accounts of the transactions of his/her office in books belonging to the Corporation and render to the Board of Trustees, whenever they may require, an account of the fiscal condition of the Corporation and in general shall have such other powers and perform such other duties as are incidental to the office of Treasurer.

He/she shall call meetings of the Finance Committee, if any, whenever investments are to be made and when requested to do so by any member of said committee.

Article V - Auditors

The Auditors shall make a thorough examination of the financial affairs of the Corporation at least once each year and shall examine and verify the records of the Treasurer. The Trustees may employ a certified public accountant to perform the duties of the Auditors. Said accountant shall make and file the same reports as the Auditors may otherwise be required to do.

Article VI - Librarian

The Trustees shall appoint or employ a Librarian who may be designated an officer of the Corporation and shall, subject to the approval of the Officers and Trustees, direct the operations of the Library and keep such records as shall properly reflect such operations. The Librarian shall report regularly to the Board of Trustees and shall make an annual report of the Library to the members of the Corporation.

Article VII - Indemnification of Trustees, Officers, and Employees

Each Trustee and Officer of the Library now or hereafter serving as such shall be indemnified against any and all claims and liabilities to which he/she has or shall become subject by reason of serving or having served as Trustee or Officer, or by reason of any allegation alleged to have been taken, omitted, or neglected by him/her as such Trustee or Officer.

Article VIII - Conflict of Interest

Any Trustee who is also an officer, director, stockholder, or member of any corporation, firm, or association with which the Board of Trustees proposes to contract or transact any business, or who has an interest, pecuniary or otherwise, in such contract or transaction, shall not participate in the vote to authorize any such contract or transaction, but may participate in discussion thereof. Any such contract or transaction may be authorized and approved by a majority of the Trustees present and not disqualified to vote on such a matter.

Article IX - Dissolution

Upon any dissolution of the Corporation, the Board of Trustees of the Corporation shall, after paying or making provision for the payment of all liabilities of the Corporation, dispose of all assets of the Corporation exclusively for the purposes for which the Corporation was organized or to such organizations as shall qualify as an exempt organization under Section 501 (c)(3) of the Internal Revenue Code (or other then applicable provisions of the United States Internal Revenue Laws) as the Trustees shall determine. Any said assets not thus disposed of shall be disposed of by the Court of the County in which the principal office of the Corporation is then located, exclusively for the above purposes or to such organizations as the Court shall determine organized and operated exclusively for such purposes.

Article X - Amendments

These Bylaws may be altered or amended at any Annual or Special Meeting of the members of the Corporation by a majority vote, provided that the notice of the proposed alteration or amendment has been given in the notice of the meeting. They may also be altered or amended at any meeting of the Board of Trustees by the affirmative vote of two-thirds of the Trustees then in office, provided that notice of such proposed amendment has been given in the notice of the meeting.

Article XI - Parliamentary Procedure

Robert's Rules of Order, Revised shall govern the conduct of meetings of the Corporation and Board of Trustees and at such other times as may be appropriate.

Revised January 21, 1992; January 12, 2000

Home

Copyright © 2001 Windsor Public Library. Last Updated November 23, 2001.

SHERBURNE MEMORIAL LIBRARY

BY-LAWS

ARTICLE I

Purpose

The Sherburne Memorial Library, a free service to all people, is committed to providing current and significant materials and services for personal enrichment, self-education and leisure. Further, library services motivate young children to develop into enthusiastic readers and life-long library users. The library is a community meeting center.

ARTICLE II

Board of Trustees

Section 1. General Powers:

A. To assure the library meets the needs of the community.
B. To select a Library Director, recommend salary and annually evaluate
C. To adopt written policies for the general operation and maintenance of the library
D. To insure adequate funding; and maintain financial integrity.
E. To assist the Library Director in preparing long range plans for library service

Section 2. Number, Tenure and Qualification:

The Board of Trustees shall consist of five (5) members serving staggered terms. Trustees shall be elected at the Annual Town Meeting to be held on the first Tuesday of March and the terms of office shall be five (5) years. The town shall elect one (1) board member each year.

Section 3. Regular Meetings:

A regular meeting of the Board of Trustees shall be held on the third (3rd) Wednesday of each month at 3 PM at the Sherburne Memorial Library. The Board of Trustees may provide, by resolution, the time and meeting place to hold additional regular meetings. Regular meetings are open to the public. Notice of meetings will be provided in accordance with the Open Meeting Law.

Section 4. Special Meetings:

Special meetings of the Board of Trustees may be called by or the request of the chairperson or any two (2) trustees, and shall be held at the Sherburne Memorial Library or such a place as the trustees determine.

Section 5. Notice:

Notice of any special meeting of the Board of Trustees shall be given at least twenty-four (24) hours previously thereto by telephone or delivered to her/his address of record. In addition, public notice will be given in accordance with the Open Meeting Law.

Section 6. Quorum:

A majority of the Board of Trustees shall constitute a quorum for the transaction of business at any meeting of the board. Written proxies or telephone votes shall be counted in determining the existence of a quorum.

Section 7. Board Decisions:

The act of a majority of the trustees present at a meeting at which a quorum is present shall be the act of the Board of Trustees, unless the act of a greater number is required by law or by these by-laws.

Section 8. Proxies:

At any meeting of the Board of Trustees a member entitled to vote may by proxy executed in writing by the member or may vote by telephone.

Section 9. Vacancies:

In the event that a trustee resigns or is unable to fulfill her/his term of office, a replacement shall be recommended to the Board of Selectmen for appointment by the majority of the Board of Trustees to serve until the next Annual Town Meeting is held, at which time a new trustee will be elected to serve the remainder of the term. Resignations shall be made in writing to the chairperson of the Board of Trustees.

Section 10. Compensation:

No member of the Board of Trustees shall receive a salary for her/his services, but by resolution of the Board of Trustees, reasonable expenses of attendance may be allowed for attendance at regular meetings and special meetings of the Board.

Article III

Officers

Section 1. Officers:

The officers of the Board of Trustees shall be a Chairperson, and a Secretary.

Section 2. Election and Term of Office:

The officers of the Board of Trustees shall be elected annually at the first regular meeting following the Annual Town Meeting and shall hold office for one (1) year. An officer may succeed herself/himself in the same office.

Section 3. Vacancies:

A vacancy in any office because of death, resignation, disqualification, removal or otherwise may be filled by a majority vote of the Board of Trustees for the un-expired portion of the term.

Section 4. Powers and Duties:

A. Chairperson: The Chairperson shall be the principle officer and shall exercise general supervision and control over all business and affairs of the Board of Trustees. She/he shall have the following specific powers and duties:
    1. to preside at all Board of Trustee meetings
    2. to see that all orders and resolutions of the Board are carried into effect

3. to have general superintendence and direction of other officers of the Board and employees thereof, and to see that duties are properly performed.
4. to report to the trustees all matters within her/his knowledge that should be brought to their attention in the best interest of the library

B. Secretary: The Secretary of the Board of Trustees shall be the custodian of and shall maintain all records and shall be the recorder of the board's actions and transactions at all meetings of the Board of Trustees. The secretary shall have the following specific powers and duties:
   1. to record or supervise the recording of the minutes and transaction of all meetings of the Board of Trustees
   2. to post a copy of the minutes of regular meetings at the Sherburne Memorial Library
   3. to keep open to inspection by trustees at all reasonable times, the original or a certified copy of these by-laws as amended or otherwise altered to date.
   4. to attend to such correspondence and make such reports as may be assigned.

ARTICLE IV

Indemnification

Each trustee and officer of the Board of Trustees, now and hereafter serving as such shall be indemnified against any and all claims and liabilities to which she/he has or shall become subject by reason of serving or having served as such trustee or officer, or by reason of any action alleged to have taken, omitted, or neglected by her/him as such trustee or officer.

ARTICLE V

Amendment of By-Laws

These by-laws may be altered, amended or repealed, and new by-laws may be adopted by a majority of the trustees present at any regular meeting or at a special meeting; if at least seven (7) days written notice is given of intention to alter, amend or repeal or to adopt new by-laws at such meeting.

By-laws shall be reviewed annually.

ARTICLE VI

Conflict of Interest

Any trustee who is an officer, director, stockholder or member of any corporation, firm or association with which the Board of Trustees proposes to contract or transact any business or who has an interest, pecuniary or otherwise, in such contract or transaction shall not participate in the vote to authorize any such contract or transaction, but may participate in the discussion thereof. Any such contract or transaction may be authorized and approved by a majority of the trustees present and not disqualified by this vote on such a matter.

U.S. Department of Education
Office of Educational Research and Improvement (OERI)
National Library of Education (NLE)
Educational Resources Information Center (ERIC)

NOTICE

Reproduction Basis

[X] This document is covered by a signed "Reproduction Release (Blanket)" form (on file within the ERIC system), encompassing all or classes of documents from its source organization and, therefore, does not require a "Specific Document" Release form.

[ ] This document is Federally-funded, or carries its own permission to reproduce, or is otherwise in the public domain and, therefore, may be reproduced by ERIC without a signed Reproduction Release form (either "Specific Document" or "Blanket").